

Central Coast

Local Planning Panel

Central Coast
Local Planning Panel Meeting
Business Paper
21 July 2022



Meeting Notice

**The Local Planning Panel Meeting
of Central Coast
will be held remotely - online,
Thursday 21 July 2022 at 2.00 pm,
for the transaction of the business listed below:**

1 Procedural Items

- 1.1 Disclosures of Interest 3

2 Confirmation of Minutes of Previous Meetings

- 2.1 Confirmation of Minutes of Previous Meeting..... 4

3 Planning Reports

- 3.1 DA/63260/2021 - 16 Sydney Avenue, Umina Beach - Dual Occupancy
Attached & Demolition of Existing Structures 16
- 3.2 DA/62203/2021 - 37 Paul Street, Umina Beach - Multi Dwelling Housing
3 units & Demolition of existing dwelling 103

4 Planning Reports - Outside of Public Meeting

- 4.1 DA/63420/2021 - 88 Glenworth Valley Road, Wendoree Park -
DESIGNATED & INTEGRATED Jetty, Wharf & Pontoon 201

Donna Rygate
Chairperson

Item No: 1.1
Title: Disclosures of Interest
Department: Governance

21 July 2022 Local Planning Panel Meeting

Reference: F2020/02502 - D14205789

The NSW Local Planning Panel Code of Conduct states that all panel members must sign a declaration of interest in relation to each matter on the agenda before or at the beginning of each meeting.

Recommendation

That Panel Members now confirm that they have signed a declaration of interest in relation to each matter on the agenda for this meeting and will take any management measures identified.

Item No: 2.1
Title: Confirmation of Minutes of Previous Meeting
Department: Corporate Services

Central Coast
Local Planning Panel

21 July 2022 Local Planning Panel Meeting

Reference: F2020/02502 - D15238524

Author: Rachel Callachor, Meeting Support Officer, Civic Support

Summary

The Minutes of the following Meetings of the Local Planning Panel, which have been endorsed by the Chair of that meeting, are submitted for noting:

- ***Local Planning Panel Meeting held on 23 June 2022***

Recommendation

That the minutes of the previous Local Planning Panel Meeting held on 23 June 2022 which were endorsed by the Chair of that meeting, are submitted for noting.

Attachments

1   MINUTES - Local Planning Panel - 23 June 2022 D15217179



Local Planning Panel
Minutes of the
Local Planning Panel Meeting
Held Remotely - Online
on 23 June 2022

Panel Members

Chairperson	Donna Rygate
Panel Experts	Grant Christmas Linda McClure
Community Representative/s	Lyn Hunt

Central Coast Council Staff Attendance

Dr Alice Howe	Director Environment and Planning
Andrew Roach	Unit Manager Development Assessment
Emily Goodworth	Section Manager Development Assessment North
Ailsa Prendergast	Section Manager Development Assessment South
Karen Hanratty	Principal Development Planner (South)
Brad Deane	Development Planner (South)
Leah Hitchenson	Senior Environmental Protection Officer Environment and Public Health
Rachel Callachor	Meeting Support Officer

The Chairperson declared the meeting open at 2.05pm and advised in accordance with the Code of Meeting Practice that the meeting was being recorded.

The Chair read an acknowledgement of country statement and noted that Council is acknowledging Refugee Week.

Apologies

The Panel noted that no apologies had been received.

1.1 Disclosures of Interest

The Panel noted that declaration forms had been received and no conflicts had been identified.

2.1 Confirmation of Minutes of Previous Meeting

The minutes of the previous Local Planning Panel Meeting held on 9 June 2022 which were endorsed by the Chair of that meeting, were noted.

Minutes of the Local Planning Panel Meeting 23 June 2022 contd

Public Forum

The following people addressed the Panel:

Agenda item 3.1 - DA/47946/2015 - 10-16 Painters Lane, Terrigal - Modification of Consent for Commercial Premises and Shop Top Housing

1. Dino Seraglio (applicant) and Peter Israel - PTI Architecture – on behalf of the applicant (Glen Fernandes also attended)
2. John Hancock – SJH Planning and Design – on behalf of the applicant

Agenda item 3.2 - DA/62839/2021 - 149 Somersby Falls Road, Somersby - DESIGNATED & NOMINATED INTEGRATED Expansion to Concrete Manufacturing Facility

1. Ralf Dahmen – against recommendation
2. Peter Bowen – against recommendation
3. Kate Heaney – against recommendation
4. Craig McGaffin, Director, Catalyze Property Consulting Pty Ltd – against recommendation
5. Natasha Moring, Senior Registered Planner, Beveridge Williams (on behalf of applicant)
6. Mr Dan Dang, Acoustic Engineer Acoustic Consulting Engineers Pty Ltd (on behalf of applicant)
7. Nicole Bartels, State Manger, RCPA (applicant)

The Local Planning Panel public meeting closed at 3.25pm. The Panel moved into deliberation from 3.35pm, which concluded at 4.29pm.

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3.1 DA/47946/2015 -10-16 Painters Lane, Terrigal - Modification of Consent for Commercial Premises and Shop Top Housing

Site Orientation	Yes
Relevant Considerations	As per Council assessment report
Material Considered	<ul style="list-style-type: none"> • Documentation with application • Council assessment report • 22 submissions
Council Recommendation	Refusal
Panel Decision	<p>1 That the Local Planning Panel refuse the application to modify DA47946/2015/2 for commercial premises and shop top housing on 10-16 Painters Lane Terrigal for the reasons below and having regard to the matters for consideration detailed in Section 4.15 and 4.55 of the Environmental Planning and Assessment Act 1979.</p> <p>2 That Council advise those who made written submissions of the Panel's decision</p>
Reasons	<p>1 The proposed modification is not substantially the same development for which consent was originally granted. As such, the Panel has formed the view that it has no power to modify the Consent.</p> <p>2 The proposed modification would result in additional unreasonable impacts as a result of additional floor space and reduction in distance between buildings as required under SEPP 65 and the Apartment Design Guidelines.</p> <p>3 The proposed modification has not suitably responded to the concerns raised in public submissions and is not in the public interest.</p>
Votes	The decision was unanimous

Minutes of the Local Planning Panel Meeting 23 June 2022 contd

3.2 DA/62839/2021 - 149 Somersby Falls Road, Somersby - DESIGNATED & NOMINATED INTEGRATED Expansion to Concrete Manufacturing Facility

Site Orientation Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report
- Additional noise information received from an objector
- Advice from Council staff on the additional noise information
- 10 Submissions

Council Recommendation Approval

Panel Decision

1 That the Local Planning Panel grant consent to DA/62839/2021 149 Somersby Falls Road, Somersby - DESIGNATED & NOMINATED INTEGRATED Expansion to Concrete Manufacturing Facility subject to the conditions detailed in the schedule attached to the report as modified and supplemented below and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

Condition 1.4 is amended to read:

1.4. The use is permitted to operate for 24 hours / 7 days per week (the Extended Hours) except that:

- (a) the northern storage area of the site shall not be used between 10.00pm and 7.00am;**
- (b) only half of the western storage area (closer to the existing factory) shall be used between 10.00pm and 7.00am;**
- (c) loading cement from trucks into cement silos shall not take place between 10.00pm to 7.00am; and**
- (d) sand, gravel and cement deliveries to the site shall not take place between 10.00pm and 7.00am.**

The Extended Hours cannot commence until an occupation certificate for the acoustic walls one, two and three is issued for the premises the subject of this consent.

The Extended Hours are permitted for a period of 24 months from the date that the site operator advises the Council in writing that the Extended Hours will commence. A development application or modification application can be lodged seeking to make the Extended Hours permanent

Minutes of the Local Planning Panel Meeting 23 June 2022 contd

following the 24 month period. Such application should be made to the Council at least 3 months before the expiry of the Extended Hours and is to be accompanied (at a minimum) by a peer-reviewed report from a qualified acoustic engineer which reviews the compliance of the use with the conditions of the EPA Licence and the conditions of this consent with respect to noise. The Extended Hours can continue until such time as any such development or modification application is approved or, if such application is refused, the hours of operation are to revert to those imposed by development consent DA/47599/2015 (Part 6 now Part E) Stage 3a, Section 6 Ongoing.

Condition 1.5 is amended to read:

1.5. The restrictions to hours of operation, number of delivery and dispatch trucks including hours and location for loading/unloading, use of forklifts and power tools imposed by development consent DA/47599/2015 (Part 6 now Part E) Stage 3a, Section 6 Ongoing, no longer apply to the operation of the site on the commencement of the Extended Hours as provided by condition 1.4.

The following condition is to be included:

1.5A. The following mitigation measures are required to control and minimise potential noise impacts from the additional storage area to the north and the extension of night-time operation:

- (a) construction of an acoustic barrier / earth mound or combination of acoustic barrier and earth mound on the western boundary (refer to Figure 4 and Appendix 1 (acoustic wall-1) of the report of Acoustic Consulting Engineers Pty Ltd dated 1 February 2022). The top of the acoustic barrier/earth mound shall be at RL225 (or higher) commencing from the south to RL223 (or higher) finishing at the north;**
- (b) construction of acoustic barriers on the northern and western sides of the factory (refer to Figure 4 and Appendices 2 and 3 (acoustic wall-2 and wall-3) of the Acoustic Consulting Engineers Pty Ltd dated 1 February 2022). The top of the acoustic barrier shall be at RL232 (or higher) (the acoustic barriers shall be a minimum of 7m above the ground level outside the western side of the factory where the front-end-loader and cement trucks work);**
- (c) construction of an acoustic barrier/earth mound or**

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- combination of acoustic barrier and earth mound on the northern boundary (refer to Figure 4 and Appendix 4 (acoustic wall-4) of the Acoustic Consulting Engineers Pty Ltd dated 1 February 2022). The acoustic barrier/earth mound shall be a minimum of 3.5m above the finished ground level where the forklifts work (RL224 commencing from the west to RL227 finishing at the east);*
- (d) *the acoustic barriers shall be constructed of masonry (eg. concrete) or proprietary lightweight concrete panel achieving a weighted sound reduction index of not less than Rw32. A combination of acoustic barriers and earth mounds may be constructed to the recommended heights (refer to Figure 4 and Appendices 1 to 4 of the Acoustic Consulting Engineers Pty Ltd dated 1 February 2022). Any gaps between the construction elements and/or between the construction elements and the ground shall be back-filled with soil / overlapped / detailed to control noise from flanking paths;*
- (e) *the factory-side of 7m high acoustic barriers (acoustic wall-2 and acoustic wall-3 of the Acoustic Consulting Engineers Pty Ltd dated 1 February 2022) shall be backed with 50mm thick acoustic absorptive lining (eg. Reapor or Stratocell Whisper) on the upper half of the barriers;*
- (f) *flexible acoustic screen (eg. Flexshield Sonic Curtain with a weighted sound reduction index of not less than Rw27) shall be provided around the batching area (refer to Figure 6 of the Acoustic Consulting Engineers Pty Ltd dated 1 February 2022); and*
- (g) *fork lift reverse alarms shall be replaced with broadband reverse alarms.*

The following condition is to be included:

2.8A. Prior to the issue of any Construction Certificate an Operational Management Plan (OMP) is to be prepared and submitted to the Council's Development Planner for approval. The OMP is to provide for management practices to minimise potential noise impacts from the night-time operation and the additional storage area to the north. The OMP must include:

- **management objectives;**
- **activities to be undertaken;**
- **quality standards;**
- **desired outcomes;**
- **staffing and resource requirements;**
- **implementation timetables; and**

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- *monitoring process including a complaint procedure.*

Condition 4.2 is to be amended as follows:

4.2. The principal certifier must ensure that building work, earthworks, demolition or vegetation removal is only carried out between:

**7.00 am and 5.00 pm on Monday to Friday
8.00am and 1.00pm Saturdays**

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not visit nor be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

Condition 4.15 is to be deleted as its duplicates condition 4.13.

The following new condition is to be included:

6.1A Comply at all times with the Operational Management Plan.

- 2 That Council advise those who made written submissions of the Panel's decision.**
- 3 That Council advise relevant external authorities of the Panel's decision.**

Reasons

- 1 The proposal is consistent with the zoning of the land and can operate in a satisfactory manner subject to the imposition of conditions.
- 2 The Panel acknowledges the concerns raised by the public submissions concerning operational noise impacts of the proposal, hence the on-going environmental performance of the proposal should be monitored and a time limited consent of 2 years should be imposed.

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Votes The decision was unanimous

PLANNING REPORTS - OUTSIDE OF PUBLIC MEETING

4.1 DA1209/2021 - Lot R/918 Rd, The Entrance Road, The Entrance - Markets and Function Centre for community events

Site Orientation Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report

Council Recommendation Approval

Panel Decision **1** ***That the Local Planning Panel grants consent to DA/1209/2021 – Lot R/918 Rd ROAD, The Entrance Road, The Entrance – Markets and Function Centre for community events subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***

Reasons

- 1 The proposal is considered satisfactory under the heads of consideration set out in Section 4.15 of the Environmental Planning and Assessment Act 1979.
- 2 The proposal is considered satisfactory with regard to WLEP 2013 with regard to permissibility, and zone objectives.
- 3 The proposal is considered satisfactory in relation to the requirements of WDCP 2013, Chapters 2.11, 3.7 and 5.3.
- 4 The proposed development is consistent with the aims and objectives of The Entrance Town Centre Masterplan and The Entrance Planning Strategy.

Votes The decision was unanimous

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4.2 DA/2059/2021 - 17 Kunala Lane Horsfield Bay - Alterations & Additions to Existing Dwelling

Site Orientation Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report
- 1 submission

Council Recommendation Approval

Panel Decision

1 *The Local Planning Panel agrees the Applicant's Clause 4.6 written variation request demonstrates compliance with the Height of Buildings development standard is unnecessary in the circumstances of the case because of the minimal environmental impact that would result from the noncompliance with the Height of Buildings standard.*

Compliance with the Height of Buildings development standard would be unreasonable in the circumstances of the case because of the steep sloping nature of the block, compliance would not allow the lift, and there are sufficient environmental planning grounds to justify contravening the development standard. Further, the Panel considers that the proposed development will be in the public interest because it is consistent with the objectives of the development standard and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out.

2 *That the Local Planning Panel assumes the concurrence of the Secretary of the Department of Planning to permit the non-compliance with the development standard under Clause 4.6 of the Gosford Local Environmental Plan 2014, in accordance with the provisions of Clause 64 of the Environmental Planning and Assessment Regulation 2000.*

3 *That the Local Planning Panel grants development consent to DA2059/2021 – 17 Kunala Lane Horsfield Bay to construct a lift over two levels, carport and turning bay subject to appropriate conditions as detailed in the schedule attached to the report and having regard to the*

Minutes of the Local Planning Panel Meeting 23 June 2022 contd

matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.

4 Those who made a submission be notified of the outcome of the development application.

Reasons

- 1 The development application has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 and relevant instruments and policies.
- 2 The proposed development is considered suitable for the site, despite the identified variations.

Votes

The decision was unanimous

4.3 Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site)

The Panel reviewed this planning proposal and information provided and concurs that it has strategic and site specific merit. The Panel supports the planning proposal for the reasons outlined:

- The proposed rezoning to R1 General Residential is consistent with surrounding residential development and will provide additional housing in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Town Centre.
- The retention of the B4 zoned land will provide for short term bulky goods retail development, transitioning to mixed use development along Wyong Road in the longer term. This will ensure ongoing job opportunities with the potential for a range of employment generating land uses including retail, office, short stay accommodation, childcare, education and medical facilities.
- The retention of the C2 Environmental Conservation zoned land will facilitate the protection, conservation and enhancement of environmentally sensitive areas with ongoing management of the land to be funded by the proponent.
- The proposed maximum height and floor space ratio (FSR) limits for the B4 portion of the site are considered appropriate and consistent with surrounding development including the proposed Woodberry Park residential development opposite the site (with a maximum height of 37.5m) and the Wyong Town Centre (with a range of FSR limits from 1.1:1 to 3.0:1).

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- A site-specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site. The proposal incorporates a number of parks and accessible open space areas that enable active and passive recreation opportunities and will provide a high-quality amenity for the future residential population.
- A planning agreement will be prepared to support the planning proposal to provide monetary contributions and works in kind to support the development. A letter of offer has been submitted with the proposal which outlines approximately \$11.6 million of improvements including:
 - \$1 million in management of conservation land;
 - \$6.5 million in provision of open space facilities;
 - \$1.5 million for delivery of a new youth centre; and
 - \$2.5 million in new pedestrian and vehicular connections including a range of new and upgraded shared pedestrian paths and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange.

The proposal has been assessed having regard to all State Environmental Planning Policies (SEPPs), Ministerial Directions and relevant guidelines of the Central Coast Regional Plan 2036 (CCRP) as detailed in Attachment 2 - Strategic Assessment. As the proposal has strategic merit it is recommended that a planning proposal be prepared and forwarded to the Minister for Planning requesting a Gateway Determination.

- The proposal rezones the land to an appropriate zone under either the CCLEP or WLEP 2013.
- The proposal will provide additional housing to meet the growing housing demand adjacent to existing infrastructure and services.
- The proposal will provide for additional employment generating land uses to expand and complement the existing services within the Tuggerah Town Centre.

The proposal respects the scenic values and character of the site, ensuring the environmentally sensitive areas of the site will be retained, enhanced, and protected.

GENERAL REPORTS

5.1 Central Coast Local Planning Panel - Membership

That the Local Planning Panel:

- 1 Note the information contained within this report.**
- 2 Agree to write to retiring Panel member, Mr Garry Fielding, thanking him for his service on the Panel.**

Item No: 3.1
Title: DA/63260/2021 - 16 Sydney Avenue, Umina Beach
- Dual Occupancy Attached & Demolition of
Existing Structures

Central Coast
Local Planning Panel

Department: Environment and Planning

21 July 2022 Local Planning Panel Meeting

Reference: DA/63260/2021 - D15075932
Author: Brian McCourt, Development Planner
Manager: Karen Hanratty, Principal Development Planner, Development Assessment South
Approver: Andrew Roach, Unit Manager, Development Assessment

Summary

An application has been received for a Dual Occupancy Attached & Demolition of Existing Structures. The application has been examined having regard to the matters for consideration detailed in section 4.15 of the *Environmental Planning and Assessment Act* and other statutory requirements with the issues requiring attention and consideration being addressed in the report. The application is recommended for approval.

The application is referred to the Local Planning Panel due to the number of submissions. 16 submissions have been received.

Applicant	Knight Mapleton Design Partners
Owner	16 Sydney Street Pty Ltd
Application No	DA 57715/2018
Description of Land	Lot 36 DP 9894, 16 Sydney Avenue Umina Beach
Proposed Development	Dual Occupancy Attached & Demolition of Existing Structures
Site Area	557.2 sqm
Zoning	R1 – General Residential
Existing Use	Dwelling House
Employment Generation	Nil
Estimated Value	\$400,000

Recommendation

- 1 That the Local Planning Panel approve the application Development Application No. 63260 for a Dual Occupancy Attached & Demolition of Existing Structures on Lot 36 DP58974, 16 Sydney Ave Umina Beach. subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***
- 2 That Council advise those who made written submissions of the Panel's decision.***

Key Issues:

- Matters raised in submissions
- Compliance with *Gosford Development Control Plan 2013 Chapter 3.2 - Dual Occupancy Developments*

Precis:

Proposed Development	Dual Occupancy Attached & Demolition of Existing Structures
Permissibility and Zoning	The subject site is zoned R1 General Residential under the provisions of <i>Gosford Local Environmental Plan 2014</i> . The proposed development is defined as a dual occupancy which is permissible in the zone with consent of Council.
Relevant Legislation	<p>The following planning policies and control documents are relevant to the development and were considered as part of the assessment.</p> <ul style="list-style-type: none"> • <i>Environment Planning and Assessment Act 1979 - section 4.15 (EP&A Act)</i> • <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>Gosford Local Environmental Plan 2014 (GLEP 2014)</i> • <i>Central Coast Local Environmental Plan 2022 (CCLEP 2022)</i> • <i>Gosford Development Control Plan 2013 (GDCP 2013)</i>
Current Use	Dwelling House
Integrated Development	No
Submissions	16 submissions

Variations to Policies – Gosford Development Control Plan 2013

Clause	3.2.3.1.3 Building Envelope
Standard	3.5m above natural ground level / 45 degrees at side and rear boundaries
Departure basis	Projects outside building envelope as identified on architectural plans

Clause	3.2.3.4.2 – Private Open Space
Standard	75 sqm, including an area 6m x 6m for recreational purposes and service area 4m x 4m
Departure basis	<ul style="list-style-type: none"> • Unit 1 65 sqm - 10 sqm or 13% variation

3.1**DA/63260/2021 - 16 Sydney Avenue, Umina Beach - Dual Occupancy Attached & Demolition of Existing Structures (contd)**

	• Unit 2 70 sqm - 5 sqm or 6.7% variation
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Clause	3.2.3.4.3 – Minimum amount of sunlight
Standard	Minimum amount of sunlight retained to neighbours
Departure basis	Does not comply – refer Shadow Diagrams

Clause	3.2.3.4.4 – Privacy
Standard	For two storey buildings: provide at least 9m between adjacent dwellings (If screening is provided these distances can be lessened)
Departure basis	A 9m separation distance is not achieved to adjacent dwellings: Ground level – 3m – screened by 1.8m boundary fencing First floor level – greater than 3m – no privacy impacts by use of highlight windows and opaque finish to window glazing of stairwells

Clause	3.2.3.6.2 – Façade Articulation Controls
Standard	Unarticulated external wall length maximum 8m
Departure basis	17.6m although no blank walls greater than 8m

The Site

The subject site has a frontage of 12.19 sqm to Sydney Avenue and a length of 45.72 sqm and a subsequent area of 557.2 sqm. The rear of the property has access to Leslie Knock Lane. The site is relatively level. Improvements on the site consist of a brick and tile single level dwelling and ancillary shed.

Surrounding development consists of detached dwellings.



Figure 1 – Subject Site



Figure 2 – Existing Dwelling

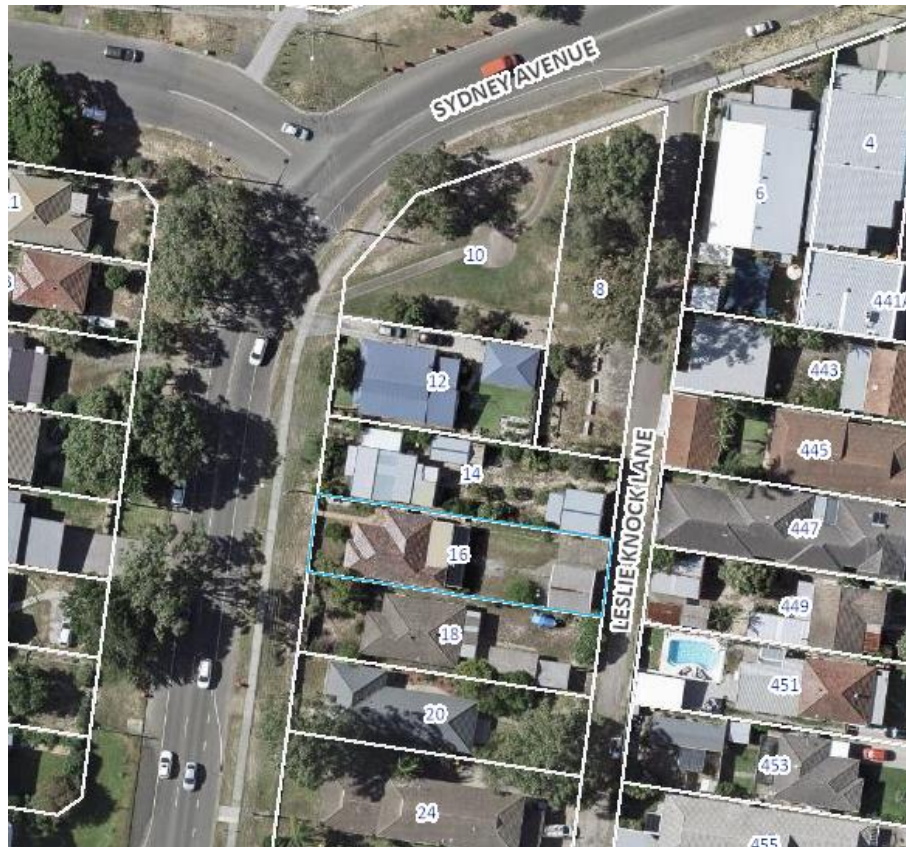


Figure 3 – Surrounding Development

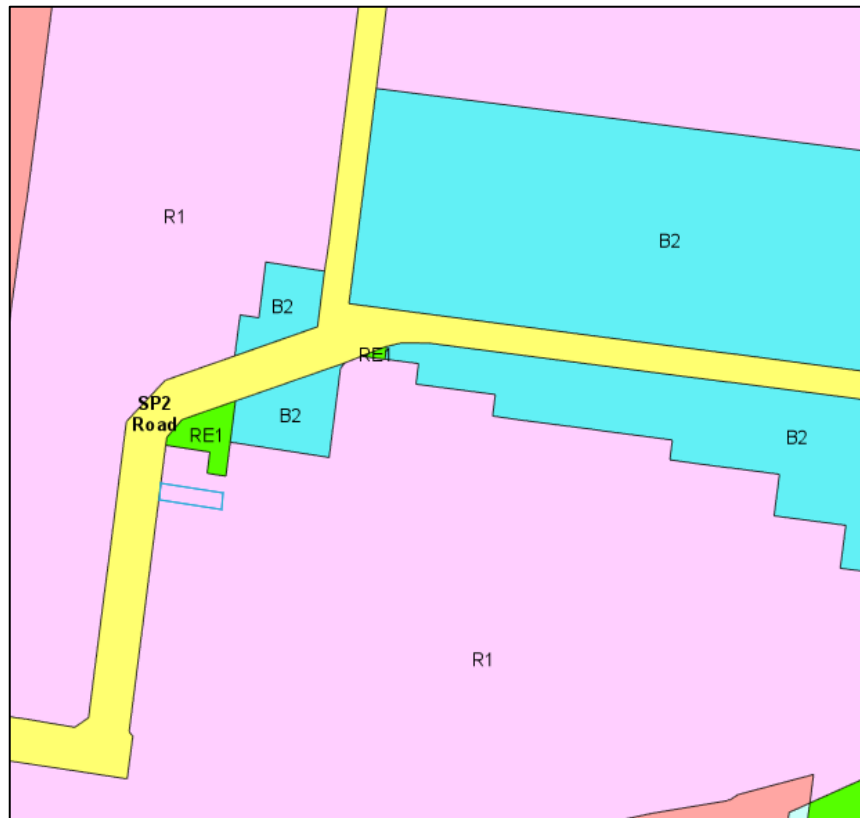


Figure 4 – Zoning Context (site shown in blue outline)



Figure 5 – Area Location (site shown in blue)

3.1 DA/63260/2021 - 16 Sydney Avenue, Umina Beach - Dual Occupancy Attached & Demolition of Existing Structures (contd)

The Proposed Development

The proposal comprises:

- Demolition of existing structures
- Construction of an attached two storey dual occupancy development consisting three (3) bedrooms in each dwelling. Each dwelling will have a double garage. Vehicle access to the Unit 1 garage will be to Sydney Ave while access to the Unit 2 Garage will be to Leslie Knock Lane:

Unit 1	Unit 2
Living - 147.3 sqm Garage - 41.3 sqm Open Space - 64.9 sqm	Living - 129.1 sqm Garage - 43 sqm Open Space - 69.8 sqm

A site plan of the proposed development is shown in Figure 6 and building elevations are shown in Figure 7.

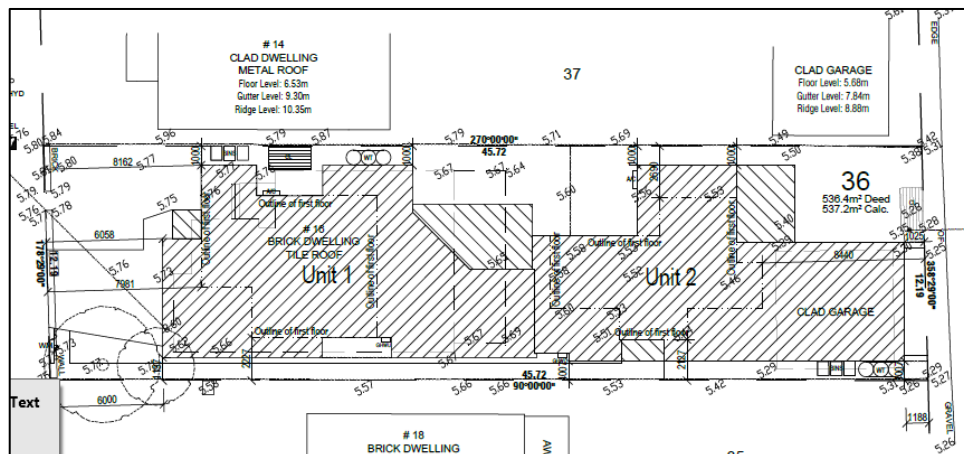


Figure 6 – Proposed Site Plan

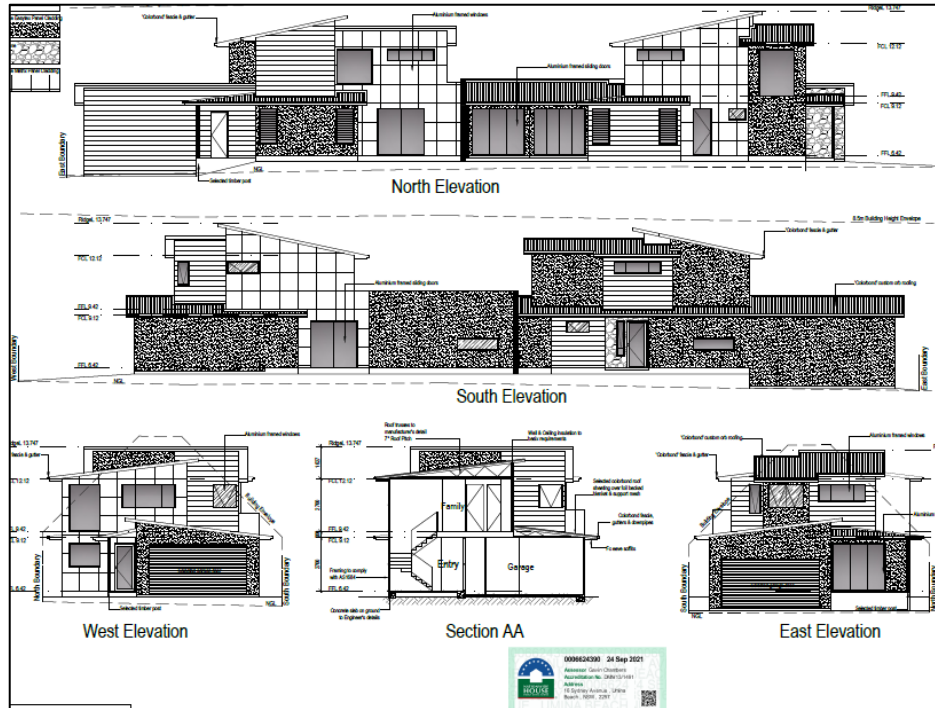


Figure 7 – Proposed Elevations and Sections

Application background

The application was lodged on 21 October 2021. The development application was exhibited from 5 November 2021 to 26 November 2021. The applicant provided additional information on 20 April 2022 and on 5 May 2022.

Site History

There is no relevant planning history applicable to the site.

ASSESSMENT:

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 commenced on 1 March 2022 incorporates and repeals the provisions of 3 SEPPs including *State Environmental Planning Policy9Coastal Management) 2018* and *State Environmental Planning Policy 55 – Remediation of Land*.

The relevant provisions of the SEPP are addressed as follows:

Chapter 2 Coastal Management

The provisions of Chapter 2 Coastal Management require Council consider the aims and objectives of the SEPP when determining and application within the Coastal management Areas. The Coastal management Areas are areas defined on maps issued by the NSW Department of Planning and Environment and the subject property falls within the mapped coastal management areas.

The relevant matters have been considered in the assessment of this application. The application is considered consistent with the stated aims and objectives.

Chapter 4 Remediation of Land

Clause 4.6 requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The current use of the site is for domestic residential purposes, and there are no known previous uses that would lead to the site being contaminated or unsuitable for the proposed use.

State Environmental Planning Policy (Building Sustainability Index BASIX) 2004

The application is supported by a BASIX certificate which confirms the proposal will meet the NSW government's requirements for sustainability, if built in accordance with the commitments in the certificate.

The proposal is considered to be consistent with the requirements of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

Gosford Local Environmental Plan 2014 (GLEP 2014) - Zoning and Permissibility

The subject site is zoned R1 – General Residential under GLEP 2014. The proposed development is defined as dual occupancy (attached) requiring a minimum lot size of 550 sqm is permissible in the zone with consent of Council.

The development application is considered to be in accordance with the Zone objectives for R1 - General Residential zone which 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.*

3.1 DA/63260/2021 - 16 Sydney Avenue, Umina Beach - Dual Occupancy Attached & Demolition of Existing Structures (contd)

- *To ensure that development is compatible with the desired future character of the zone.*
- *To promote best practice in the design of multi dwelling housing and other similar types of 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 dwelling housing or other similar types of development.*

The proposal would assist in meeting the housing needs of the community within a medium density residential environment. The proposed development is two storeys which generally maintains the residential character and amenity of the surrounding area.

The proposal appropriately addresses its impacts and represents an acceptable design and is therefore consistent with the R1 General Residential zone objectives.

Gosford Local Environmental Plan 2014 (GLEP 2014) – Principal Development Standards

The proposal has been assessed in accordance with the relevant principal development standards of GLEP 2014 as detailed below.

Development Standard	Required	Proposed	Compliance with Control	Compliance with Objective
CI 4.1B Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings	550 sqm	557 sqm	Yes	Yes
CI 4.3 - Height of Buildings	8.5m	8.25m	Yes	Yes
CI 4.4 - Floor Space Ratio (FSR)	0.5:1	0.49:1	Yes	Yes

Gosford Local Environmental Plan 2014 (GLEP 2014) – 5.21 Flood Planning

This land has been classified as being under a "flood planning level" and subject to the imposition of a minimum floor level. The development is considered satisfactory in respect to Clause 5.21 of *Gosford Local Environmental Plan 2014*.

Gosford Local Environmental Plan 2014 (GLEP 2014) – 7.1 Acid sulfate soils

The site is mapped as containing Class 3 acid sulfate soils (ASS). The site is approximately 4.20m AHD with minimal excavation required for the establishment of footings, with no works more than 1m below natural ground surface. In this instance, the proposal works are not considered likely to impact on Acid Sulfate Soils.

Conditions are recommended that ensure any unexpected finds of acid sulfate soils will be appropriately managed.

Central Coast Local Environmental Plan 2022 (CCLEP 2022)

The *Central Coast Local Environmental Plan 2022* (CCLEP 2022) has been finalised and notified on the NSW Legislation website on 24 June 2022. It will come into effect 1 August 2022 and the consolidated Central Coast Development Control Plan 2022 (CCDCP 2022) will also come into force on the same date and will replace the planning instruments relating to the former Local Government Areas.

The CCLEP 2022 is a matter for consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*. The CCLEP 2022 is considered imminent and certain and can be afforded significant weight.

The CCLEP 2022 includes savings provisions that provide for an application lodged before the making of the Plan, that the application must be determined as if the Plan had not been made.

Under the provisions of the CCLEP 2022, the site retains its R1 zoning and building height and FSR controls. Dual Occupancy (attached) would be a permitted use. The provisions of the plan and its objectives for the R1 zone have been considered in the assessment of this application.

While the Central Coast Development Control Plan (CCDCP 2022) is not a statutory matter for consideration, its key controls, as relevant to this site and development are summarised below, with comment on how the current proposal measures up to these controls:

- Private open space minimum area of 45sqm and a minimum dimension of 4.5m is required – the proposed open space is 65 sqm and 70 sqm proposed, however not all areas have a dimension of 4.5m, however well sized practical areas are achieved with the smallest consolidated area being 4mx5m
- Front setback, average of neighbours or 4.5m is required – existing setback retained – 6.0m
- Side setbacks of 1.5m is required – proposed setbacks are 1m
- Rear setback of 4.5m required – rear setback 1m proposed
- Minimum 25% of site area at ground level shall be 'soft' landscaping, excluding all hardstand areas, 50% of this is to be deep soil – this would require 125sqm of soft landscaping and 65sqm of deep soil is provided and this is all deep soil as no basements are proposed.

Gosford Development Control Plan 2013 (GDCP 2013)**GDCP 2013 - Chapter 2.1 Character**

The relevant desired character statement (Umina 3 – Sandplain Medium Density) as it relates to the development of the land is provided below along with a comment as to whether the proposal is in accordance with the desired character statement as follows:

These areas should remain medium-density residential neighbourhoods where improved standards of amenity and urban design quality are achieved by new low-rise multi-unit developments that reflect features of the traditional mid-Twentieth Century bungalows which remain distinctive elements of the Woy Woy Peninsula's identity.

Comment: The proposal will involve a change in the nature of development on the site reflective of the strategic planning for the Woy Woy Peninsula and the R1 zone that applies to the land and the surrounding area. The two-storey height of the development is in accordance with the low-rise multi-unit development envisaged under the character statement. The development itself contains the use of light weight materials such as boards and corrugated roofing reflective of mid twentieth century bungalows. The development it is considered complies with this section of the character statement.

Surround each multi-unit development with leafy gardens that conserve existing visually prominent trees, particularly along back fences and street frontages or verges, as well as providing space for new shady trees and shrubs planted as backdrops to new buildings. Maintain the informal qualities of existing wide grassy street verges and conserve existing shady street trees. Plant a combination of trees and shrubs around courtyards as well as along all property boundaries and use hedges or fences that are low or see-through rather than tall and opaque in order to complement the informal character of existing garden frontages.

Comment: The character statement aims to preserve existing visually prominent trees if located on the site. If as it is in this case that there are no visually prominent trees the character statement desires for space to be provided for shady trees and shrubs be planted as a backdrop to new buildings. The GDCP 2013 guidelines were prepared using the character statements as their basis. The setback guidelines in the GDCP 2013 reflect the distances considered necessary for the planting of new trees and shrubs. The proposal complies with the setback guidelines except for the rear boundary which adjoins Leslie Knock Lane which is proposed to be used for vehicle access to Unit 2. The use of the laneway for access is common for dual occupancy development on the Woy Woy Peninsula. Preventing the development from taking place because a vegetated rear setback cannot be provided along the full rear width of the property is considered unreasonable. Although not complying fully with this section of the character statement it is considered that the design response is adequate.

Ensure that new multi-unit developments complement the siting, form and scale of surviving traditional bungalows on nearby properties. Maintain street setbacks that are similar to surrounding properties and minimize the extent of hard-paved surfaces. Avoid the appearance of long and continuous buildings facing any front or side boundary. Step the shape and height of all visible facades, provide at least one wide landscaped setback that varies in width, and line driveways with avenues of trees and shrubs.

Comment: The proposal has met the character statement requirements for the front setback which is reflective of the nearby properties. The proposal involves the use of a variety of building heights and materials to 'break – up' the side facades of the building. particularly the southern side This use of varying heights and building materials particularly on the more visible first floor frontages will enable the avoidance of the appearance of long and continuous buildings thus complying with this section of the desired character statement. The development steps the shape and height of the façade on all frontages. The front setback provides a wide landscaped setback as per the character statement. The Sydney Ave driveway has been lined with plantings in accordance with the desired character statement.

Reflect the modest scale of traditional mid-Twentieth Century bungalows, for example by dividing new developments into individual dwelling pavilions with a varied form or orientation, separated by verandahs or parking structures and landscaped courtyards. Any facades that are taller or longer than neighbouring buildings should be screened by a combination of extra setbacks and balconies or verandahs. Roofs should be gently pitched to minimize the height of ridges and flanked by wide eaves that disguise the scale and bulk of exterior walls. Parking is preferable in open carports or part-basements, rather than in wide garages that would accentuate building bulk or dominate visible facades.

Comment: The differentiation of the two units that the character statement is desiring has been achieved in the development. The development has been divided into two individual dwelling pavilions through orientation with Unit 1 facing Sydney Ave (east elevation) and Unit 2 to Leslie Knock Lane as shown in the architectural plans. The proposal will present a two-storey façade to properties on the northern and southern sides which is taller than the southern side property (18 Sydney Ave) which is single storey. The applicant has setback the upper level to comply with this section of the character statement. The roof of the building is gently pitched in accordance with the desired character. The character statement indicates that parking is to be preferably provided in open carports. With street and laneway frontages it is considered that from a security viewpoint the garages proposed are considered more appropriate. In conclusion it is considered that the proposal complies with the majority of the requirements of this section of the desired character statement.

In order to complement the scale and design character of traditional bungalows, a "light-weight appearance" is preferable for all visible facades, incorporating walls of windows that are shaded by framed balconies or verandahs plus exterior sunscreens, painted finishes and some sheet or board cladding rather than extensive plain masonry. Where facades face a street, a laneway or a driveway, provide a traditional "street address" with visible verandahs, living rooms and front doors.

Comment: The use of skillion style colourbond roofing in the design coupled with the use of boards and painted finishes on walls meets the requirements of the character statement with regard to a 'light weight appearance'. As seen in the above elevations the facades which face Leslie Knock Lane and Sydney Ave provide a traditional street address with visible verandahs, living rooms and front doors as per the character statement

Screen driveways, terraces, courtyards and balconies to protect the privacy and amenity of neighbouring dwellings

Comment: All courtyards are located at ground floor level which will result in minimal privacy and amenity impacts for neighbouring properties. The proposal complies with this section of the character statement. No balconies are located on the first floor of the proposal.

GDCP 2013 - Chapter 3.2 Dual Occupancy Developments

The proposal has been assessed in accordance with the relevant provisions of GDCP 2013 Chapter 3.2 Dual Occupancy Developments as detailed below.

Development Standard	Description	Required	Proposed	Compliance with Controls	Compliance with Objectives
3.2.3.1.2 - Maximum Height Controls	Number of storeys above ground maximum	2 storeys	2 storeys	Yes	Yes
	Floor height of lowest occupied storey maximum	1m	0.75m	Yes	Yes
3.2.3.1.3 - Building Envelope	Building envelope restrictions	3.5m above natural ground / 45 degrees	Projects outside of building envelope – see Figures 8 & 9	No - see comments below	Yes - see comments below
3.2.3.1.4 - Development Controls	Cut and fill restrictions	1m	800mm	Yes	Yes
	Garage and basement cut and fill maximum	n/a	n/a	n/a	n/a
	Ceiling height of living, dining and family rooms in 2 or 3 three storey	2.7m	2.7m	Yes	Yes

3.1

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Development Standard	Description	Required	Proposed	Compliance with Controls	Compliance with Objectives
	buildings minimum				
	Ceiling height of other habitable rooms in 2 or 3 storey buildings minimum	2.4m	2.7m	Yes	Yes
	Ceiling height of bathrooms, laundries and storage areas for single, 2 or 3 storey buildings minimum	2.4m	2.7m	Yes	Yes
3.2.3.2.2 – Setback Controls	Front boundary setback minimum	6m	6.05-8.16m	Yes	Yes
	Secondary street or laneway setback minimum	3m	1m – complies with allowable encroachments cl 3.2.3.2.4	Yes - see comments below	Yes - see comments below
	Side boundary setbacks minimum	1m	1m	Yes	Yes
	Rear boundary setback minimum	N/A	N/A	n/a	n/a
3.2.3.2.4 - Allowable Encroachments	Encroachments are allowed to rear setbacks <3m	Consideration may be given to a rear setback <3m	Complies	Yes	Yes – see comments below
3.2.3.3.3 - Development Controls	Provide on-site car parking for every dwelling	On-site car parking located to minimise scale and bulk	Complies	Yes	Yes
3.2.3.4.2 - Private Open Space	Private open space provided minimum	75 sqm	Unit 1 - 65 sqm.	No - see comments below	Yes - see comments below

Development Standard	Description	Required	Proposed	Compliance with Controls	Compliance with Objectives
			Unit 2 - 70 sqm plus 6m x 6m courtyard for recreational purposes and 4m x 4m service area		
3.2.3.4.3 - Minimum Amount of Sunlight	Minimum Amount of Sunlight provided to occupants and neighbours	Min 3 hrs/day sunlight in living, dining, family rooms and 50% of principal open space areas. Minimum sunlight retained to neighbours	Complies Does not comply	No - see comments below	Yes - see comments below
3.2.3.4.4 - Privacy	Separation between adjacent dwellings minimum	9m	3m – satisfactory screening provided	No - see comments below	Yes - see comments below
3.2.3.6.2 - Facade Articulation Controls	Unarticulated external wall length maximum	8m	17.6m – satisfactory articulation achieved	No - see comments below	Yes - see comments below
3.2.3.7 - Landscaped Areas	Enhance existing landscape character of the area	Landscape Plan	Landscape Plan provided	Yes	Yes

The development application complies with the remaining provisions for dual occupancy developments. The non-compliances with Chapter 3.2 Dual Occupancy Developments are discussed below.

Clause 3.2.3.1.3 Building Envelope

As can be seen from the Figures 9 & 10 below, the development does not meet the requirements of this section of GDCP 2013.

The purposes of building height controls are:

- a. To complement development standards in the relevant environmental planning instrument,
- b. To ensure that the scale of new buildings would be compatible with scenic qualities of hillside, ridgetop or non-urban locations, and / or with existing and desired streetscape characters,
- c. To limit the scale and intensity of redevelopment in established neighbourhoods

The building envelope provisions are intended to compliment the building height development standards of the GLEP 2014. In this instance the development complies with the 8.5m height requirement of the GLEP 2014. The building envelope guideline has the intention of ensuring a tapering of the building at its second level to reduce the scale and intensity of development in established neighbourhoods such as around the site in Sydney Avenue. As evidenced by Figures 8 & 9 below the development has met the purpose of the clause and the variation is considered to be acceptable.

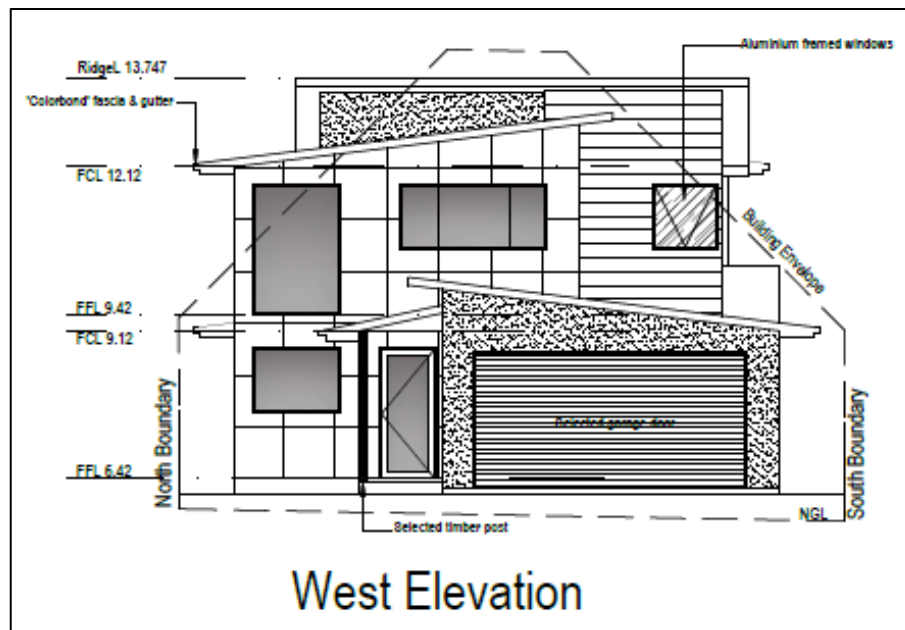


Figure 8 – West Elevation Unit 2

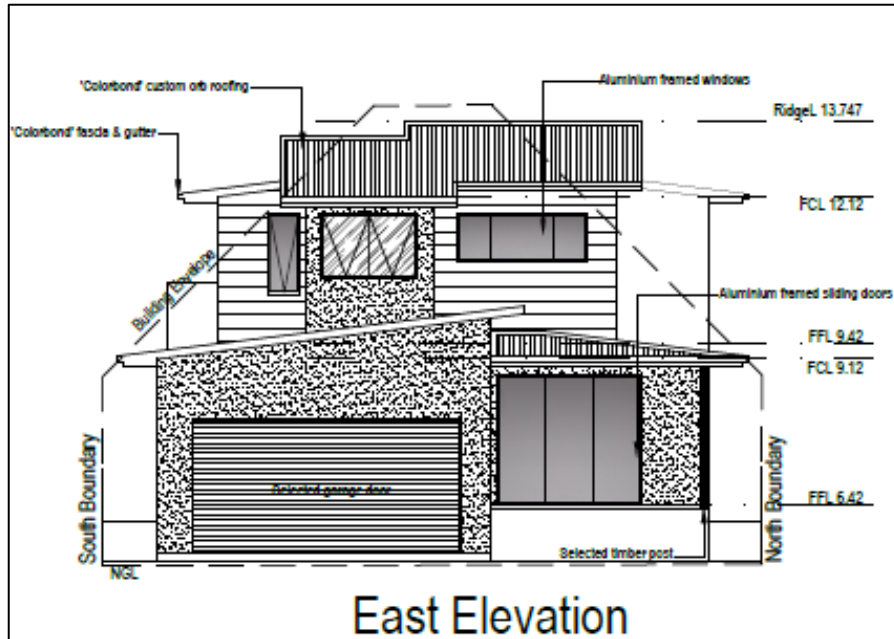


Figure 9 – East Elevation Unit 1

Clause 3.2.3.2.2 Rear Setback Controls

The proposal involves a setback from Leslie Knock Lane of 1m when the GDCP 2013 requires a setback of 3m.

The purposes of setbacks as provided in GDCP 2013 for dual occupancy development are:

- a. *In conjunction with other numeric controls, to limit the intensity of new developments, and provide controls which complement the FSR controls in the Gosford LEP 2014.*
- b. *To ensure that new developments are compatible with predominant patterns of buildings, gardens and landscaped areas that define the existing and desired characters of each neighbourhood,*
- c. *To conserve important elements of existing scenic quality, in particular any prominent trees that might be located near ridgelines or a site's boundaries,*
- d. *To surround new buildings with deep soil areas that are sufficient to conserve existing trees or to accommodate intensive new landscaping,*
- e. *To provide reasonable amenity for both existing and proposed dwellings*

It is considered that the key purpose for the setback provision as it relates to this proposal is part 'b' above. *To ensure that new developments are compatible with predominant patterns of buildings, gardens and landscaped areas that define the existing and desired characters of each neighbourhood.*

In addition, in accordance with clause 3.2.3.2.4.b Allowable Encroachments, consideration may be given to a rear setback of less than 3m where:

- i. a property has rear lane access, and*
- ii. only if the reduced setback is for the purpose of a single storey garage, and*
- iii. the proposed structure is at least 1m from the rear boundary, and*
- iv. the proposed structure has a maximum width of 6m, and*
- v. the amenity of the adjoining allotment is not compromised.*

The proposal meets the requirements of clause 3.2.3.2.4.b to permit a 1m setback from the laneway in this instance. Furthermore, it can be seen from the photographs below, Figures 10, 11 & 12, that the proposed setback corresponds with the existing setback and is reflective of the setbacks occurring in Leslie Knock Lane. Landscaping along the remainder of the rear boundary will soften this frontage.

Leslie Knock Lane



Figure 10 – Leslie Knock Lane

Clause 3.2.3.4.2 Private Open Space

A key purpose of GDCP 2013 relating to open space for dual occupancy is to *provide well designed open space for every new dwelling*.

The units do not meet all of the GDCP 2013 provisions relating to private open space. The development has provided areas of 70 sqm (Unit 2) and 65 sqm (Unit 1) while the requirement is 75 sqm including an area 6m x 6m for recreational purposes and 4m x 4m service area. Although the numerical requirements for the private open space areas are not met, the proposed design with an emphasis on alfresco areas do provide each unit with a useable outdoor area for residents. The provision of 'outdoor rooms' such as alfresco areas are now a commonplace component of open space areas in dwelling design and often form the most used part of open space areas. The alfresco areas and the related grassed open space area are considered to provide well designed open space areas and therefore meet the open space objective under GDCP 2013.

Clause 3.2.3.4.3 Minimum Amount of Sunlight

GDCP 2013 provides;

Building forms and the design of new dwellings shall provide a minimum amount of sunlight for new and existing dwellings:

- a. At least three hours daily shall be received by:*
 - i. Day-time living or dining or family rooms in all dwellings, where sunlight must fall upon at least half the surface area to the principal windows of those rooms;*
 - ii. Outdoor recreation areas of all dwellings, where sunlight must fall upon at least half of those areas.*
- b. For existing neighbours, the minimum amount of sunlight shall be retained:*
 - i. For living rooms and the principal area of private open space;*
 - ii. If current sunlight is less than the minimum amount, siting and form of the proposed development should ensure that the existing amount of sunlight is not reduced*

For the proposed development the sunlight requirements are met.

A single storey dwelling house that is currently under construction is located on the southern side of the subject property at No.18 Sydney Avenue. The following diagrams, Figures 13 & 14, depict the shadows cast on the southern side adjoining property for the winter period for the proposed development on No.16 Sydney Avenue.

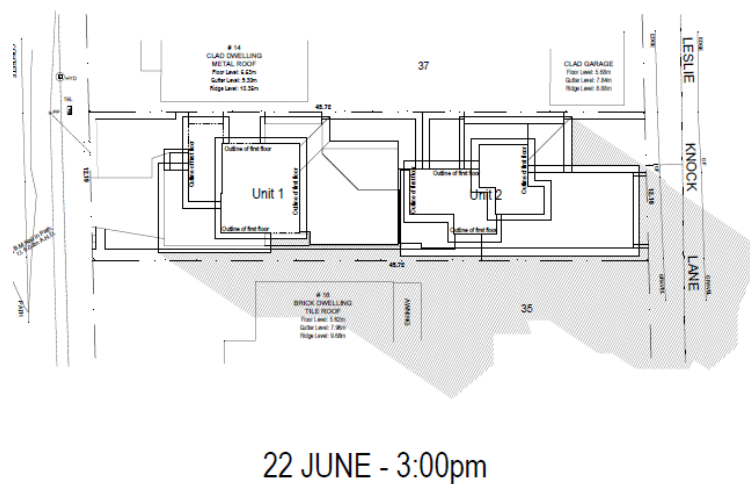
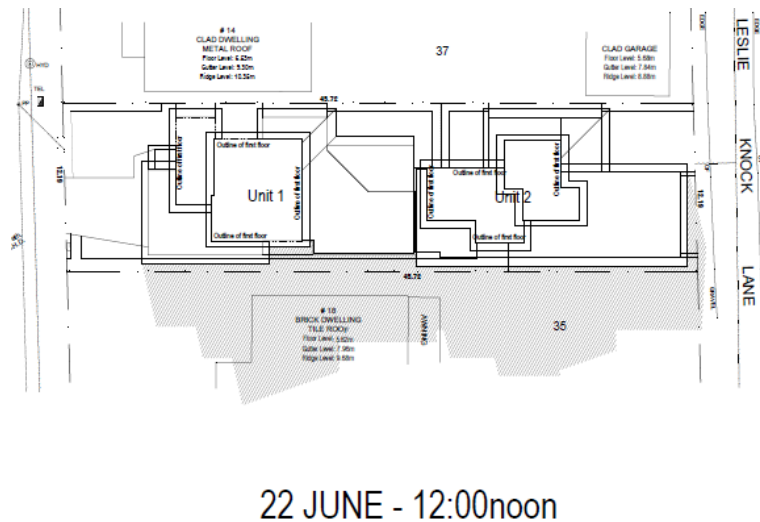
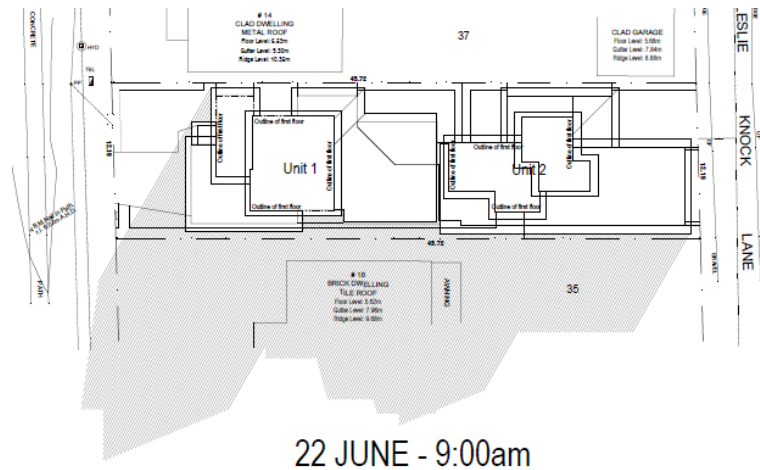
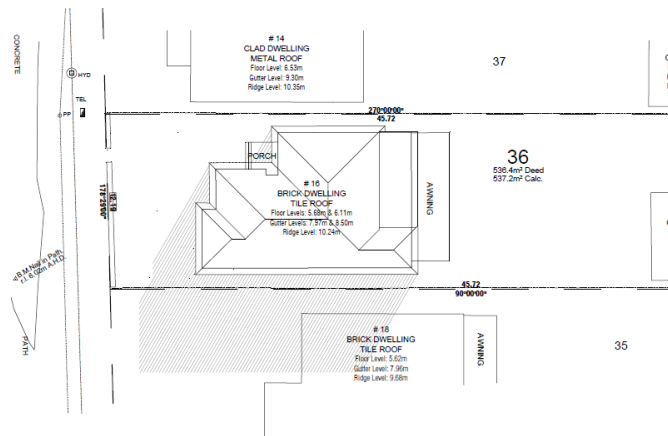
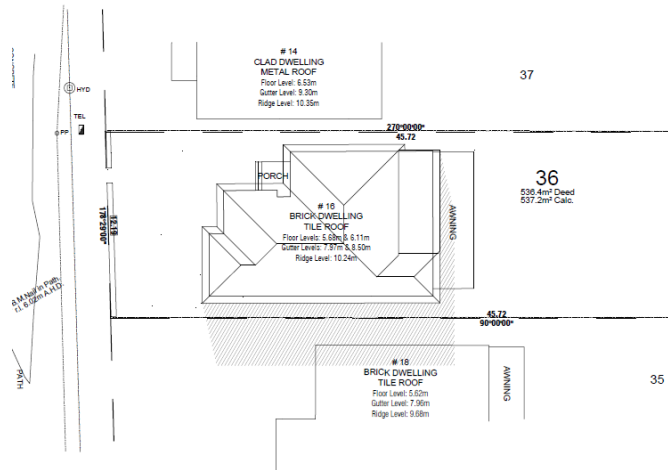


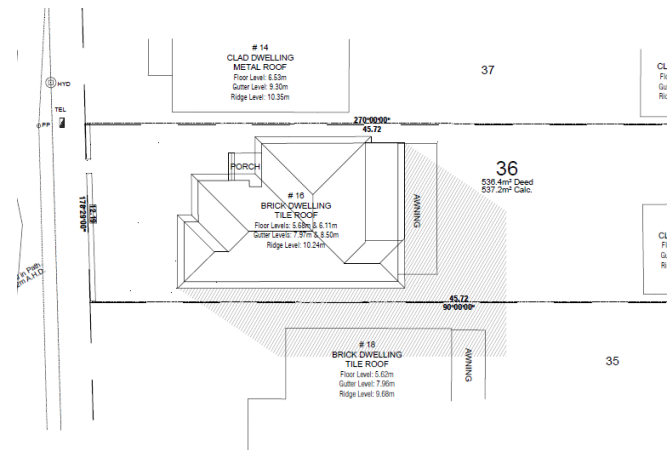
Figure 13 - Mid-Winter Shadowing from Proposed Development onto Southern Property



22 JUNE - 9:00am



22 JUNE - 12:00noon



22 JUNE - 3:00pm

Figure 14 - Mid-Winter Shadowing from Existing Dwelling onto Adjoining Southern Property

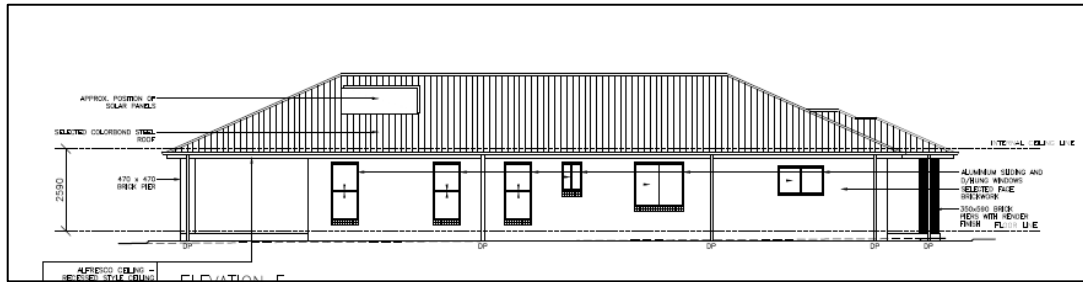


Figure 15 - Northern Side Windows of Proposed Dwelling at No.18 Sydney Avenue

No.18 Sydney Ave the adjoining property to the south of the subject property is currently being constructed upon it a single storey dwelling with living and alfresco areas located on its northern side. The new dwelling will be located 920mm from its northern boundary.

As can be seen from the diagrams above, Figures 13, 14 & 15, the existing dwelling on No.18 Sydney Avenue did not receive the minimum amount of sunlight in mid-winter on its northern side from the existing dwelling on No.16 Sydney Avenue. The proposed new dwelling on No.18 Sydney Avenue will experience this same level of sunlight with the proposed new dual occupancy located on the subject site as the existing dwelling did from the current single storey dwelling on the subject site.

The level of sunlight will therefore not alter for the proposed new dwelling on No.18 Sydney Avenue for the north facing living areas of the existing dwelling or the proposed new dwelling

With the change in development on No.18 Sydney Avenue the principal area of open space has altered. The ' outdoor room' provided by the proposed alfresco area proposed for the new dwelling located on 18 Sydney Avenue is the principal area of open space. The alfresco area is located on the northern side of the new dwelling. This location will experience this same level of sunlight with the proposed new dual occupancy located on the subject site as the existing dwelling did from the current single storey dwelling on the subject site.

Clause 3.2.3.4.4 – Privacy

GDCP 2013 provides that a key purpose of privacy provisions are:

Provide reasonable privacy separation between adjacent dwellings:

- 1 *Privacy separation is measured as the minimum line-of-sight between adjoining balconies and / or windows to a living, dining, family or bedroom*
- 2 *For two storey buildings: provide at least 9m between adjacent dwellings*

The development application provides for a minimum setback of 3m from the first floor of the structure from the dwelling on the adjoining property on the southern side, No.18 Sydney Ave. This setback is less than that required by GDCP 2013.

GDCP 2013 further provides

Reduced separation is acceptable where screening would block lines of sight between adjacent dwellings, for example by:

- 1 Fixed or moveable louvres, exterior shutters or blinds;*
- 2 Pergolas and awnings above intensively-occupied private open spaces;*
- 3 Windows with frosted or opaque glass;*
- 4 Windows less than 600mm wide, or with tall sills at least 1.5m above floor level;*
- 5 Planters at least 1m wide, with hedges that are at least 1.5m above floor level;*
- 6 Boundary fences up to 1.8m high;*
- 7 Existing evergreen shrubs or trees.*

The provision of 1.8m boundary fence as per (6) above will provide privacy between the ground level rooms will address privacy for both the proposed new development and No.18 Sydney Avenue for the ground floor level.

The first-floor level is located closest to No.18 Sydney Avenue. Windows on the southern elevation are limited and are highlight windows; no privacy impacts are caused from the first-floor level to adjoining neighbours to the south, refer Figure 16 below.

Similarly, highlight windows are provided to bedrooms on the northern elevation, refer Figure 16 below. However, it is recommended opaque finish is provided to window glazing of stairwells of each unit at first floor level on this elevation and the western elevation of Unit 1 facing Sydney Avenue to reduce overlooking to neighbours and public spaces, as per (3) above, **refer Condition 2.4.**

Clause 3.2.3.6 Facades and Articulation

The proposed development does not meet the required maximum length of 8m for exterior walls and has a length of 17.6m. There are however no blank walls longer than 8m.

Purposes of guidelines for façade design in clause 3.2.3.6.1 of the GDCP 2013 are:

- a. To prevent monotonous exterior walls that accentuate the scale and bulk of buildings,*
- b. To achieve reasonable compatibility between new developments and traditional bungalow neighbourhoods that are elements of Gosford City's architectural identity,*
- c. To capitalise upon the City's distinctive coastal settings and outdoor lifestyle,*
- d. To promote satisfactory indoor climates and energy-efficiency for all dwellings,*
- e. To achieve high standards of urban design quality.*

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The side elevations shown below in Figure 16 show the north and south façade treatments that are proposed for the building.

Although exceeding the maximum length requirements of the GDCP 2013 the proposal is in accordance with the guidelines for façade design. In this regard the side exterior walls use a variety of materials that result in a 'breaking - up' of the exterior walls to reduce the apparent scale and bulk of the building. In addition, the materials of construction consisting of boards and metal roofing will ensure that the development reflects the traditional bungalow neighbourhoods.

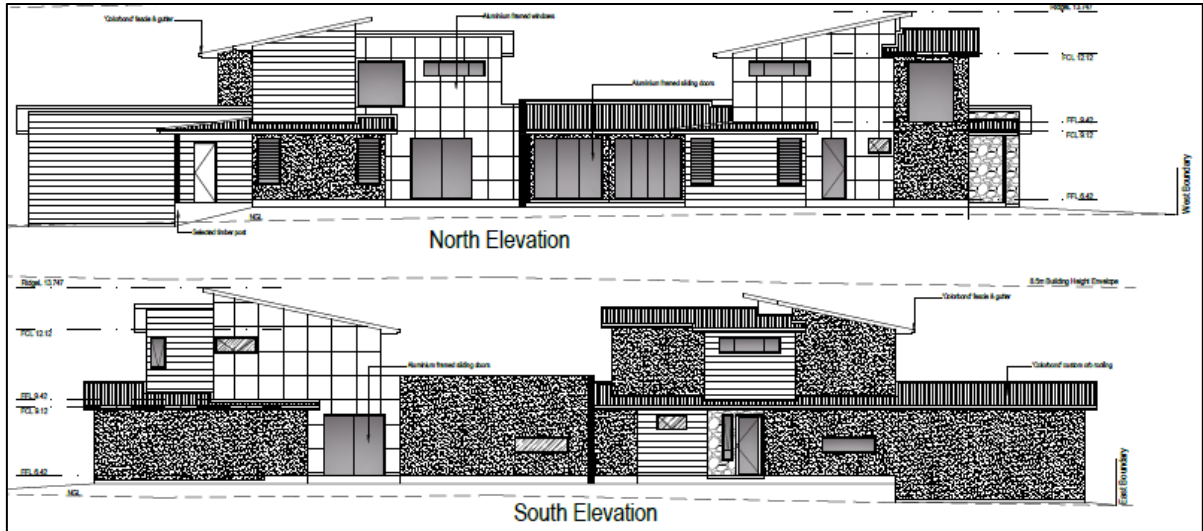


Figure 16 – Proposed North and South Elevations

GDCP 2013 - Chapter 6.7 Water Cycle Management

The Water Cycle Management Plan submitted has been reviewed by Councils Development Engineer and addresses the requirements of the Chapter 6.7 of Council's GDCP 2013.

The following comments are provided by the Development Engineer:

Flooding

Council's records indicate that the rear of the site opposite in the rear laneway is affected by flooding and flood planning controls in the 1%AEP, whereby the 1%AEP flood level is RL 5.41m AHD, and a flood planning level (FPL) of 5.91m AHD is applicable in this area.

The subject site is affected by a Probable Maximum Flood (PMF) level of RL 5.71m AHD, which is 300mm above the nearby 1%AEP flood level and 200mm below the respective FPL. The development proposes habitable floor levels of RL 6.42m AHD for both units which are above the FPL in this area. The development proposes garage levels of RL 6.25m AHD for

Unit 1 (fronting Sydney Avenue) and RL 5.52m AHD for Unit 2 fronting the laneway, both of which are above the 1%AEP flood level. Building materials utilised below the flood planning level (RL 5.91m AHD) will need to be of a type that can withstand the effects of immersion in floodwater.

Drainage

The site generally grades from the western frontage (Sydney Avenue) to the eastern frontage (Leslie Knock Lane). There is longitudinal drainage in Sydney Avenue. There is no piped drainage network in the low point in Leslie Knock Lane.

A Water Cycle Management Plan (WCMP) prepared by Halcrow & Associates (Ref 2109001 dated 17 September 2021) was submitted with the application which addresses compliance with Chapter 6.7 of Council's Gosford DCP2013 as follows:

- The deemed to comply method has been adopted as the site has an area less than 2,000m².
- Water Conservation: To be addressed by BASIX.
- Water retention: Rainwater tanks with a total capacity of 8,000 litres is proposed (3,000 litres for Unit 1 and 5,000 litres for Unit 2). An infiltration trench with a volume of 2.95m³ located within the front setback area of Unit 1 is proposed for the shortfall of retention volume required under the DCP for this development.
- Water quality measures are proposed via the water tanks and infiltration trenches.
- Water quantity: Onsite detention is not required for dual occupancy development (as per Chapter 6.7 of the GDCP2013).
- Overland Flow: The site is not in a designated overland flow path. Filling is proposed to grade the majority of the site and associated drainage back to Sydney Avenue, which would reduce outflows to the laneway as presently occurs.
- Flooding: The site is not affected by flooding.

A 'Concept Stormwater Plan' prepared by Halcrow & Associates (Drawing No 21.09.001, Sheet DA1 of 2 Amendment A dated 14.9.21) was submitted with the application as a representation of the design outcomes recommended in the abovementioned WCMP. This plan indicates the location of the nutrient control/infiltration trenches, water tanks, and other stormwater management measures proposed with the development. Overflow outflows of stormwater from the infiltration trench are proposed to connect to the existing kerb & gutter in Sydney Avenue.

The WCMP and associated concept stormwater plan are satisfactory for the purposes of the DA assessment.

GDCP 2013 - Chapter 7.1 Car Parking

Parking

This section of the GDCP 2013 requires the provision of four (4) carparking spaces for the development. The spaces have been provided by way of double garages for each unit.

Road, Access, Traffic

The civil works has been considered by Council's Development Engineer for the proposed development as follows:

Existing Infrastructure

The site has two public road frontages, these being Sydney Avenue (western frontage) and Leslie Knock Lane (rear eastern frontage).

In Sydney Avenue, there is/are:

- Existing kerb & gutter across the site frontage.
- Existing concrete footpath across the site frontage.
- A very wide sandy footway that is a combination of grass and concrete footpath.
- The footpath grades down from the back of footpath to the boundary.
- No existing vehicle access crossing to the subject property.
- Within the street in general, existing formalised vehicle access crossings for No 12 Sydney Avenue north of the subject site (at the bend in the road), and No 28 Sydney Avenue and from thereon other properties to the south of the subject site.

In Leslie Knock Lane, there is/are.

- A sealed pavement approximately 3.5m wide within a 6m wide laneway reserve.
- An unformed access crossing to an existing fibro double garage that is setback approximately 1m within the rear boundary of the site.
- There is an isolated low point in the laneway within the northern frontage area of the site.
- Numerous garages that gain access off the laneway.

Road works

Road works in Sydney Avenue are not required for this development. Some pavement widening works in the laneway may be required on the eastern side of the laneway pavement to facilitate vehicular movements into and out of the site from the laneway for the double garage for Unit 2.

It is proposed to fill the footway area in Sydney Avenue to assist in discharging stormwater outflows from the site to Council's kerb & gutter in Sydney Avenue.

Access

There are no formal vehicular access crossings that access the site. Access arrangements proposed are as follows:

- For Unit 1: A new vehicular access crossing 4m wide in Sydney Avenue to access the double garage proposed for Unit 1. This vehicular access crossing is to be a minimum of 4.8m wide to ensure vehicular manoeuvrability is acceptable when entering and exiting the garages. Vehicles associated with the garages for Unit 1 would reverse onto the road. In this regard, it is noted that a setback of 2.5m from behind the kerb line would result in a stopping sight distance (SSD) to an approaching vehicle from the north of approximately 63m. In accordance with Section 3.2.4 and Figure 3.2 of AS2890.1:2004, a domestic driveway (i.e. serving up to 3 dwellings) requires a SSD of 55m in a 60km/hr speed zone. The proposed vehicular access crossing in Sydney Avenue therefore complies with the SSD requirements in AS2890.1:2004. This matter was discussed with Council's Traffic & Transport Engineer who concurred with these findings. It is also noted that there is no restriction evident on the property messages that indicates any sort of prohibition of vehicular access to Sydney Avenue. The proposed vehicular access crossing in Sydney Avenue is therefore supported.
- For Unit 2: A new vehicular access crossing 5m wide in Leslie Knock Lane to access to the double garage proposed for Unit 2.

Sight distance splays to pedestrians are to be provided in accordance with Section 3.2.4 & Figure 3.3 of AS2890.1;2004.

GDCP 2013 - Chapter 7.2 Waste Management

A Waste Management Plan has been submitted with the proposal. Mobile garbage bins, 3 per dwelling is proposed. The architectural plans indicate the location of the bins within the courtyards/setback areas of each dwelling; appropriate travel paths can be achieved. In relation to Unit 2, the garbage bins are stored within the setback area of Unit 2 and conveyed along the pedestrian path passed Unit 1 on the southern boundary to Sydney Avenue for collection; no waste servicing is proposed from Leslie Knock Lane. The proposal has demonstrated compliance with this chapter of the GDCP 2013.

Likely Impacts of the Development

Section 4.15 (1)(b) of the EP&A Act requires consideration of the likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. The likely impacts of the development are addressed below:

Built Environment

The impact on the built environment has been addressed through the assessment of the development application against the provisions of the State and Local Planning Instruments and Development Control Plan.

Natural Environment

The proposed development will have no significant impacts upon the natural environment.

Economic Impacts

The proposed development will have beneficial economic impacts. The development facilitates economic development that will lead to more local employment opportunities on the Central Coast and reduce the percentage of employed persons who travel outside the region each day for work.

Social Impacts

The proposed development will have negligible social impacts.

Suitability of the Site for the Development

The site is considered to be suitable for the proposed intensity of development as follows:

- The site is zoned R1 – General Residential and meets the primary density controls of the local planning instrument.
- There are no environmental impacts which would prevent development of the site in the manner proposed.

Any Submission made in Accordance with this Act or Regulations

Section 4.15 (1)(d) of the EP&A Act requires consideration of any submissions received during notification of the proposal.

The proposal was formally advertised and notified, in accordance with GDCP 2013 Chapter 7.3.2 Notification of Development Proposals, between 5 November 2021 to 26 November 2021.

Sixteen (16) public submissions were received in relation to the application. Those issues associated with key issues have been addressed in the above report. The remaining issues pertaining to various concerns were addressed in the assessment of the application pursuant to the heads of consideration contained within section 4.15 of the *Environmental Planning*

and Assessment Act 1979. The number of the submissions requested that the application is considered by the Local Planning Panel.

A summary of the submissions is detailed below along with a Council comment:

1 Building is overbearing and will peer into my residence

Comment – The first-floor rooms in the development are primarily bedrooms and bathrooms which have a low level of use during daylight hours hence there is unlikely to be privacy issues associated with these rooms during periods of the day when the residents of a nearby property would be using rear yards or unblinded rooms. It is noted that a two-storey dwelling house which may be permitted on the site as complying development could raise the same issues.

2 Traffic Congestion will increase due to the additional dwelling

Comment – The additional one dwelling on the land will not create a significant increase in traffic generation. The level of traffic generation would be the same as for a secondary dwelling which could be developed on the land.

3 No visitor parking is provided, and traffic incidents will occur

Comment – The GDCP 2013 does not require the provision of visitor parking for dual occupancy developments.

4 Vehicle access to the laneway will create a precedent for future developments

Comment – Existing dwellings have their garages facing Leslie Knock Lane and therefore currently use the laneway for access purposes. This will be the case for Unit 2 in this development. There will be no significant change to the existing access arrangements from this proposal.

5 Street parking often heavily used so visitor parking should be provided

Comment – The GDCP 2013 does not require the provision of visitor parking for dual occupancy developments.

6 Who will care for street tree planting

Comment – In practice it would be Council's responsibility to maintain the street tree, but many civic minded residents often take it upon themselves to care for street trees in their neighbourhoods.

7 *Heat island impact of larger developments*

Comment – Current strategic planning for the Peninsula has provided through the zoning of land in the area for higher density development which will generally result in less uncovered surfaces. The proposed development then is a permitted use reflective of what was envisaged by the strategic planning for the Peninsula. Until that strategic planning is altered such developments can be approved.

8 *Solar access for southern adjoining property*

Comment – The issue of solar access to the property on the southern side of the subject site from the proposed development has been discussed under the section of this report addressing the requirements of GDCP 2013

9 *Incompatible with character statements*

Comment – The issue of character has been discussed under the section of this report addressing the requirements of GDCP 2013

10 *Overdevelopment of the site*

Comment – With regard to the primary controls relating to height and floor space ratio the proposal meets the requirements of GLEP 2014. Some minor variations to GDCP 2013 are proposed by the variations can be supported on the basis that the objectives of the subject clause have been met.

11 *Wrong Character statement has been used should be Umina Beach 3*

Comment: The issue of character has been discussed under the section of this report addressing the requirements of GDCP 2013

12 *Development does not comply with building envelope controls*

Comment - The issue of building envelope controls has been discussed under the section of this report addressing the requirements of GDCP 2013

13 *The development does not comply with the rear setback requirement*

Comment - The issue of rear setback controls has been discussed under the section of this report addressing the requirements of GDCP 2013

3.1 DA/63260/2021 - 16 Sydney Avenue, Umina Beach - Dual Occupancy Attached & Demolition of Existing Structures (contd)

14 *The development does not comply with the articulation requirement*

Comment - The issue of articulation controls has been discussed under the section of this report addressing the requirements of GDCP 2013

15 *The street address for Unit 2 will be Leslie Knock Lane and not Sydney Ave with all access to the property being from the lane adding to traffic congestion.*

Comment - the existing dwelling currently uses Leslie Knock Lane for access. There will be no change under this proposal

16 *It is unclear how the residents of Unit 2 will access the Sydney Ave frontage for collection of a garbage service.*

Comment - The garbage bins are stored within the setback area of Unit 2 and conveyed along the pedestrian path passed Unit 1 on the southern boundary to Sydney Avenue for collection.

Internal Consultation

Engineering	Supported subject to Conditions 2.5-2.8, 3.11-3.12, 5.10-5.16, 6.2
Water/Sewer	Supported, subject to Conditions 2.9, 2.10, 5.17

The Public Interest

The approval of the application is considered to be in the public interest as follows:

- The proposal will generate social and economic benefits for the community by providing additional employment opportunities and services.
- The proposal is consistent with the relevant clauses of the applicable environmental planning instrument.
- The proposal does not result in any increase in unreasonable environmental impacts.

Ecologically Sustainable Principles

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

As detailed under the Act, Ecologically Sustainable Development can be addressed through the implementation of the following principles:

- a) *the precautionary principle, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*

Comment: The site is already developed for housing purposes hence no further environmental damage will occur

- b) *inter-generational equity, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations;*

Comment: The site is already developed for housing purposes hence there will be no effect on inter – generational equity.

- c) *conservation of biological diversity and ecological integrity, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration;*

Comment: The site is already developed for housing purposes hence there will be no effect on biological diversity.

- d) *improved valuation, pricing and incentive mechanisms, namely, that environmental factors should be included in the valuation of assets and services.*

Comment: The site is already developed for housing purposes hence there will be no significant environmental factors to be considered.

Climate Change

The potential impacts of climate change on the proposed development have been considered by Council as part of the assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope, combat, withstand these potential impacts. The proposed development is considered satisfactory in relation to climate change.

Other Matters for Consideration

Section 7.11 Contributions

The subject site is located within section 7.11 development contribution CP 31 Peninsula where dual occupancy developments are subject to section 7.11 contributions. The applicable contribution amount was calculated based on 2 large units with a credit for the existing dwelling and imposed as a standard condition of consent requiring the contribution to be paid prior to the issue of any Construction Certificate, ***refer Condition 2.3.***

Water and Sewer Contributions

Water and sewer services are available to the land. Building adjacent to sewer conditions apply and developer charges are applicable. Therefore, engineering is required to be approved by council for building in proximity to sewer assets. A Section 307 certificate of Compliance is required, ***refer Conditions 2.9, 2.10, 5.12.***

Construction Traffic and Pedestrian Management Plan (CTMP)

A Construction Traffic and Pedestrian Management Plan (CTMP), will be prepared and submitted to the certifying authority which will detail proposed construction works, the traffic impacts on the local area and how these impacts will be addressed. Council is not required to approve these plans, ***refer Condition 3.11.***

CONCLUSION

This application has been assessed under the heads of consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and relevant instruments and policies. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any material adverse social or economic impact.

Accordingly, the application is recommended for **approval** pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.













Reasons for the Decision

The reasons for the decision as recommended under the assessment of this application are as follows:

- 1 The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
- 2 There are no significant issues or impacts identified with the proposal under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

**3.1 DA/63260/2021 - 16 Sydney Avenue, Umina Beach - Dual Occupancy
Attached & Demolition of Existing Structures (contd)**

Attachments

1 	Draft Conditions DA 63260 2021 - 16 Sydney Avenue Umina Beach	D15221419
		
2 	Architectural Plans DA63260 16 Sydney Avenue Umina Beach	D15221418
		
3 	PUBLIC BASIX Certificate 16 Sydney Avenue, Umina Beach	D14862936
	DA/63260/2021	
4 	PUBLIC Stormwater Drainage Engineering Plans 16 Sydney Avenue,	D14862929
	Umina Beach DA/63260/2021	
5 	Water Cycle Management Plan 16 Sydney Avenue, Umina Beach	D14862930
	DA/63260/2021	
6 	PUBLIC Waste Management Plan 16 Sydney Avenue, Umina Beach	D14862928
	DA/63260/2021	

DRAFT CONDITIONS OF CONSENT

Application Number: DA/63260/2021
Proposed Development: Dual Occupancy Attached & Demolition of Existing Structures
Property Address: Lot 36 DP 9894, 16 Sydney Avenue Umina Beach

1. PARAMETERS OF THIS CONSENT**1.1. Approved Plans and Supporting Documents**

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title	Drawn By.	Dated
100	B	Site Plan & Site Analysis	KM Design Partners	22/09/2021
110	B	Shadow Diagrams - 9.00am	KM Design Partners	22/09/2021
120	B	Shadow Diagrams - 12 noon	KM Design Partners	22/09/2021
130	B	Shadow Diagrams – 3.00pm	KM Design Partners	22/09/2021
200	B	Ground Floor Plans	KM Design Partners	22/09/2021
210	B	First Floor Plans	KM Design Partners	22/09/2021
300	B	Elevations & Section A-A	KM Design Partners	22/09/2021
400	B	Landscape Plan	KM Design Partners	22/09/2021
24274	A	Survey Plan	Clarke Dowdle & Associates	11/08/2021

Document Title.	Version No.	Prepared by.	Dated.
BASIX Certificate No. 1242590M	-	Building Sustainability Assessments	24/09/2021
Stormwater Management Plan, Ref 21.09.001, 2 sheets	-	Halcrow & Associates Pty Ltd	14/09/2021
Water Cycle Management Plan, Ref 2109001	-	Halcrow & Associates Pty Ltd	17/09/2021
Waste Management Plan	-	KM Design Partners	20/09/2020

In the event of any inconsistency between the approved plans and the supporting

documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

- 1.2. Carry out all building works in accordance with the National Construction Code Series, Building Code of Australia, Volume 1 and 2 as appropriate.
- 1.3. Comply with all commitments listed in the BASIX Certificate for the development as required under clause 97A of the *Environmental Planning and Assessment Regulation 2000* or *Section 75 Environmental Planning and Assessment Regulation 2021* (as appropriate).

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to any Construction Certificate.
- 2.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
 - a) Site investigation for the preparation of the construction, and / or
 - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - c) Demolition.
- 2.3. Pursuant to Section 7.11 of the *Environmental Planning and Assessment Act 1979*, pay to Council a total contribution amount of **\$21,206.70**, that may require adjustment at the time of payment, in accordance with the relevant Council Contribution Plans No. 31A, 31B, 31C & 31D - Peninsula.

Roadwork - Capital	B	(Key No 789)	\$1,254.45
Open Space - Land	C	(Key No 791)	\$2,940.00
Open Space - Embellishment	C	(Key No 790)	\$8,583.35
Community Facilities - Land	D	(Key No 793)	\$191.30
Community Facilities - Capital	D	(Key No 792)	\$3,208.95
Drainage - Land	A	(Key No 787)	\$976.00
Drainage - Capital	A	(Key No 788)	\$4,052.65
TOTAL AMOUNT			\$21,206.70

The total amount must be indexed each quarter in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician as outlined in the contributions plan.

Contact Council's Contributions Planner on 1300 463 954 for an up-to-date contribution payment amount.

Any Construction Certificate must not be issued until the developer has provided the Certifier with a copy of a receipt issued by Council that verifies that the contributions have been paid. A copy of this receipt must accompany the documents submitted by the certifying authority to Council under Clause 104/Clause 160(2) of the *Environmental Planning and Assessment Regulation 2000*.

A copy of the Contribution Plan may be inspected at the office of Central Coast Council, 2 Hely Street Wyong or on Council's website: [Development Contributions - former Gosford LGA](#)

- 2.4. Submit amendments to the approved plans to the Registered Certifier pursuant to clause 139 of the *Environmental Planning Regulation 2000* that must detail:
 - a) An opaque finish to the window glazing of the stairwells to each unit at first floor level.
- 2.5. Submit to the Accredited Certifier, responsible for issuing a construction certificate for works within the development properties, detailed design drawings approved by a suitably qualified consultant for fences and landscaping located on or in proximity to the road frontage of the site which ensure pedestrian and vehicle sight distance is maintained in accordance with of Australian Standard AS/NZS 2890: Parking Facilities, Parts 1, 2 and 6.
- 2.6. Obtain a Roads Act Works Approval by submitting an application to Council for a Section 138 Roads Act Works Approval for all works required within the road reserve. The application is to be lodged using an *Application for Subdivision Works Certificate or Construction Certificate, Roads Act Works Approval and other Development related Civil Works* form.

The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably experienced qualified professional in accordance with Council's *Civil Works Specifications*.

Fees, in accordance with Council's Fees and Charges, will be invoiced to the applicant following lodgement of the application. Fees must be paid prior to Council commencing assessment of the application.

Design drawings, reports and documentation will be required to address the following works within the road reserve:

- a. Construction of the road verge/footway formation graded at +2% from the back of the existing footpath to the property boundary, across the full frontage of the site in Sydney Avenue. Construction to include transitions to existing formation either side of the site.
- b. Construction of a residential vehicle access crossing in Sydney Avenue that has a width of 4.0 metres at the road gutter crossing and 4.8 metres at the property boundary including construction of a gutter crossing and road pavement adjacent to the gutter crossing.
- c. Construction of a pavement on the eastern side of Leslie Knock Lane to accommodate the swept turn path of the AS2890.1:2004 B85 vehicle entering and exiting the site in

either direction. The constructed levels in the laneway must not alter drainage patterns. The pavement is to be sealed and surfaced with asphalt.

- d. Construction of a residential vehicle access crossing that has a width of 5 metres at the property boundary and splayed to the edge of the laneway pavement to accommodate the swept turn path of the AS2890.1:2004 B85 vehicle entering and exiting the site in either direction.
- e. Construction of any works required to transition new works into existing infrastructure and the surrounding land formation.
- f. Construction of a storm water drainage connection from the development site to Council's storm water drainage system within the road reserve in Sydney Avenue.

The section 138 Roads Act Works Approval must be issued by Council and all conditions of that approval must be addressed prior to occupying and commencing any works in the road reserve.

- 2.7. Submit to Council a dilapidation report detailing the condition of all Council assets within the vicinity of the development. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs, street lights or any other Council assets in the vicinity of the development. The dilapidation report will be required to be submitted to Council prior to the issue of the Section 138 Roads Act Works approval or the issue of any construction certificate for works on the site. The dilapidation report may be updated with the approval of Council prior to the commencement of works. The report will be used by Council to establish damage to Council's assets resulting from the development works.
- 2.8. Submit to the Registered Certifier responsible for issuing the construction certificate for works within the development site detailed design drawings and design reports for the following engineering works:
 - a. Construction of driveways, and garages in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: Parking Facilities and other applicable Australian Standards.
 - b. Construction of nutrient and pollution control measures. Design in accordance with Chapter 6.7 - *Water Cycle Management* of the Gosford Development Control Plan 2013. A nutrient and pollution control report including an operation and maintenance plan must accompany the design. The nutrient/pollution control measures shall be generally in accordance with the Water Cycle Management Plan prepared by Halcrow & Associates (Ref 2109001 dated 17th September 2021 and the Concept Stormwater Plan prepared by Halcrow & Associates (Drawing No 21.09.001, Sheet DA1 of 2 dated 14.9.21).
 - c. Construction of on-site stormwater retention measures. Design in accordance with Chapter 6.7 - *Water Cycle Management* of the Gosford Development Control Plan 2013. A report detailing the method of stormwater harvesting, sizing of retention tanks for re-use on the site and an operation and maintenance plan must accompany the design. The nutrient/pollution control measures shall be generally in accordance with the Water Cycle Management Plan prepared by Halcrow & Associates (Ref 2109001

dated 17 September 2021 and the Concept Stormwater Plan prepared by Halcrow & Associates (Drawing No 21.09.001, Sheet DA1 of 2 dated 14.9.21).

- d. Construction stormwater drainage collection and piping of all stormwater runoff from areas within the site via the nutrient/pollution control facility to the approved connection with Council's drainage system located in Sydney Avenue. The drainage shall be generally in accordance with the Water Cycle Management Plan prepared by Halcrow & Associates (Ref 2109001 dated 17th September 2021 and the Concept Stormwater Plan prepared by Halcrow & Associates (Drawing No 21.09.001, Sheet DA1 of 2 dated 14.9.21).
- e. Construction of buildings with the minimum floor level of all habitable rooms in the development being Reduced Level (RL) 5.91m Australian Height Datum (AHD).
- f. Construction of buildings from materials that are used or located below Reduced Level (RL) 5.91m Australian Height Datum (AHD) must be of a type that is able to withstand the effects of immersion.
- g. Construction of retaining walls where indicated on development approval documentation. Retaining wall design must not conflict with existing or proposed services or utilities. Retaining walls designs for wall greater than 600mm in height must be certified by a registered practising Civil or Structural engineer as being in accordance with Australian Standards.

Detailed design drawings and design reports acceptable to the Registered Certifier must be included in the Construction Certificate documentation.

- 2.9. Submit engineering details prepared and certified by a practising structural engineer that comply with *Council's Building Over or Adjacent to Sewer and Water Main Guidelines* to the satisfaction of Council. Engineering details must be submitted to Council's Water Assessment Team for approval. Plan assessment fees apply.
- 2.10. Submit an application to Council under section 305 of the Water Management Act 2000 for a section 307 certificate of compliance. The Application form can be found on Council's website www.centralcoast.nsw.gov.au. Early application is recommended.

The section 305 application will result in a section 306 letter of requirements which must be obtained prior to the issue of any Construction Certificate. The requirements letter will outline which requirements must be met prior to each development milestone eg. prior to construction certificate and occupation certificate.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Appoint a Principal Certifier for the building work:
 - a) The Principal Certifier (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building

- work no later than two (2) days before the building work commences.
- b) Submit to Council a Notice of Commencement of Building Work form giving at least two (2) days' notice of the intention to commence building work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.3. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a) The name, address and telephone number of the Principal Certifier for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.
 - d) Remove the sign when the work has been completed.
- 3.4. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au
- Contact Council prior to submitting these forms to confirm the relevant fees.
- This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage). This condition does not apply to swimming pool plumbing that does not physically connect / break into the sewer system.
- 3.5. Provide and maintain a garbage receptacle at the work site until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for food scraps and papers.
- 3.6. Notify the intention to commence works by giving written notice to the owner of the adjoining property affected by the proposed excavation and/or structural protective works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protection works.
- 3.7. Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- a. could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - b. could cause damage to adjoining lands by falling objects, or
 - c. involve the enclosure of a public place or part of a public place.

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

Note 2: The *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011*

contain provisions relating to scaffolds, hoardings and other temporary structures.

- 3.8. Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.

Each toilet must:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
- c) be a temporary chemical closet approved under the Local Government Act 1993.

- 3.9. Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.

- 3.10. Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a) more than 10m² of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b) friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

- 3.11. Prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for all activities related to works within the site. The plan must be prepared and implemented only by persons with Roads and Maritime Service accreditation for preparing and implementing traffic management plans at work sites.

The CTPMP must describe the proposed construction works, the traffic impacts on the local area and how these impacts will be addressed.

The CTPMP must address, but not be limited to, the following matters:

- Ingress and egress of construction related vehicles to the development site.
- Details of the various vehicle lengths that will be used during construction and the frequency of these movement.
- Use of swept path diagrams to demonstrate how heavy vehicles enter, circulate and exit the site or Works Zone in a forward direction.
- Deliveries to the site, including loading / unloading materials and requirements for work zones along the road frontage to the development site. A Plan is to be included

that shows where vehicles stand to load and unload, where construction plant will stand, location of storage areas for equipment, materials and waste, locations of Work Zones (if required) and location of cranes (if required).

- Works Zones if heavy vehicles cannot enter or exit the site in a forward direction.
- Control of pedestrian and vehicular traffic where pre-construction routes are affected.
- Temporary Road Closures.

Where the plan identifies that the travel paths of pedestrians and vehicular traffic are proposed to be interrupted or diverted for any construction activity related to works inside the development site an application must be made to Council for a Road Occupancy Licence. Implementation of traffic management plans that address interruption or diversion of pedestrian and/or vehicular traffic must only take place following receipt of a Road Occupancy Licence from Council or the Roads and Maritime Service where on a classified road.

Where a dedicated delivery vehicle loading and unloading zone is required along the road frontage of the development site a Works Zone Application must be lodged and approved by Council. A minimum of 3 months is required to allow Traffic Committee endorsement and Council approval.

The Construction Traffic and Pedestrian Management Plan must be reviewed and updated during construction of the development to address any changing site conditions.

A copy of the Construction Traffic and Pedestrian Management Plan must be held on site at all times and be made available to Council upon request.

- 3.12. Submit to Council a completed *Notice of Intention to Commence Subdivision, Roads and Stormwater Drainage Works* form with supporting documentation prior to the commencement of any Subdivision Works Certificate works, Roads Act Works Approval works, or Section 68 Local Government Act Stormwater Drainage Works Approval works. These works are not to commence until a pre-commencement site meeting has been held with Council.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:
- 7.00am and 5.00pm Monday to Saturday

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction

vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

- 4.3. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

"relic" means any deposit, artefact, object or material evidence that:

- a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- b) is of State or local heritage significance; and

"Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. To ensure the protection of objects of potential sign.

- 4.4. Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment
- 4.5. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.6. Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.

This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage).

- 4.7. Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the Roads Act 1993.

- 4.8. Demolish all buildings and / or building components in a safe and systematic manner in accordance with Australian Standard AS 2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.
- 4.9. Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan signed by KM Design Partners dated 20 September 2020.
- 4.10. While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.
- 4.11. While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.
- 4.12. Cease all excavation works if acid sulfate soils are identified until such time as details of mitigation and treatment measures are submitted to, and approved by, the Principal Certifier.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2. Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifier. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000* or *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (as appropriate).
- 5.3. Obtain a satisfactory plumbing and drainage final inspection in accordance with the requirements of the Plumbing and Drainage Act 2011.

This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage). This condition does not apply to swimming pool plumbing that does not physically connect / break into the sewer system.
- 5.4. Complete the building in accordance with the relevant provisions and requirements of the National Construction Code Series.
- 5.5. Complete the landscaping works in accordance with the approved Landscape Plan.
- 5.6. Plant a street tree on the road reserve. Provide an advanced specimen (minimum 25 litre pot size) that is to be evenly located and adequately staked / protected to prevent vandalism. The street tree must be native tree species capable of achieving a minimum height of 8m.

Do not locate trees within an authority's underground service easement nor be closer than 3m from a power pole or driveway.

- 5.7. Erect a 1.8-metre-high fence along the length of the side boundaries behind the building line.
- 5.8. Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.
- 5.9. Provide fold-away clothes lines for clothes drying purposes that must not extend above courtyard fencing.
- 5.10. Complete the civil engineering works within the development site in accordance with the detailed design drawings and design reports plans within the construction certificate.
- 5.11. Amend the Deposited Plan (DP) for lot 4 DP 654894 to:
 - 1) Include an Instrument under the *Conveyancing Act 1919* for the following restrictive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan. The plan and instrument must:
 - Create a 'Restriction on the use of Land' over all lots containing an on-site stormwater detention system and / or a nutrient / pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility.
 - 2) Include an instrument under the *Conveyancing Act 1919* for the following positive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Covenant(s) required:
 - a) To ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that:
 - i. the facility will remain in place and fully operational.
 - ii. the facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner.
 - iii. Council's officers are permitted to enter the land to inspect and repair the facility at the owner's cost.
 - iv. Council is indemnified against all claims of compensation caused by the facility.

Note: Standard wording, acceptable to Council, for covenants can be obtained by contacting Council Subdivision Certificate Officer.

Submit to the Principal Certifier copies of registered title documents showing the restrictive and positive covenants.

- 5.12. Construct the garages and accesses in accordance with Australian Standard AS2890.1-2004: Parking facilities - Off-street parking. Certification of the construction of the garages and accesses by a suitably qualified consultant must be provided to the Principal Certifier.
- 5.13. Construct any additional civil works, where required by Council, to ensure satisfactory transitions to existing site formations and pavements where designs contained in the Roads Act Works Approval do not adequately address transition works.
- 5.14. Complete construction of the stormwater management system in accordance with the Stormwater Management Plan and Australian Standard AS 3500.3-*Stormwater drainage systems*. Certification of the construction by a suitably qualified consultant must be provided to the Principal Certifier.
- 5.15. Complete construction of all works within the road reserve in accordance with the Roads Act Works Approval. Completion of works includes the submission and acceptance by Council of all work as executed drawings plus other construction compliance documentation and payment of a maintenance/defects bond to Council in accordance with Council's Fees and Charges.
- 5.16. Repair any damage to Council's infrastructure and road reserve as agreed with Council. Damage not shown in the dilapidation report submitted to Council before the development works had commenced will be assumed to have been caused by the development works unless the Developer can prove otherwise.
- 5.17. Obtain the Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Occupation Certificate.

6. ONGOING

- 6.1. Maintain the site landscaping for the life of the development.
- 6.2. The development shall maintain clear sight distance splays compliant with AS2890 for the vehicular access locations to both Sydney Avenue and Leslie Knock Lane.
- 6.3. Operate and maintain all external lighting so as not to impact on any adjoining property.
- 6.4. Store all waste generated on the premises in a manner so that it does not pollute the environment.
- 6.5. Comply with all commitments as detailed in the Waste Management Plan signed by KM Design Partners dated 20 September 2020.
- 6.6. Place the mobile garbage / recycling / green waste containers at a suitable location at the kerbside at Sydney Avenue, no earlier than the evening prior to the collection day and return to a screened area as soon as possible after service, no later than the evening on collection

day. The residents, caretaker, owner, Owners Corporation are responsible for the placement and return of the mobile waste containers.

7. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a criminal offence. Failure to comply with other environmental laws may also be a criminal offence.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
 - a) Australia Post for the positioning and dimensions of mailboxes in new commercial and residential developments
 - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form

or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- Telecommunications Act 1997 (Commonwealth)
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
- Install and maintain backflow prevention device(s) in accordance with Council's WS4.0 Backflow Prevention Containment Policy. This policy can be found on Council's website: www.centralcoast.nsw.gov.au

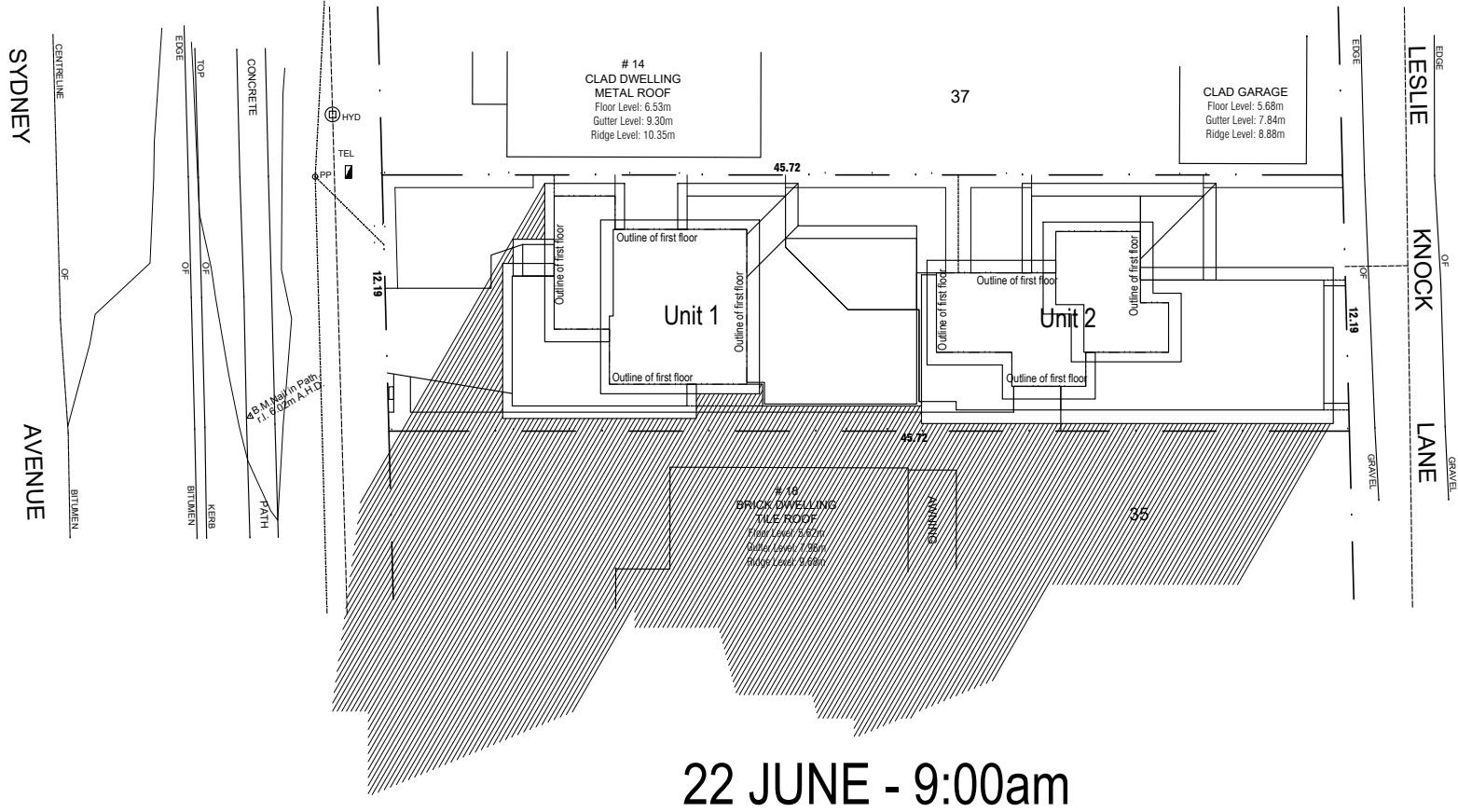
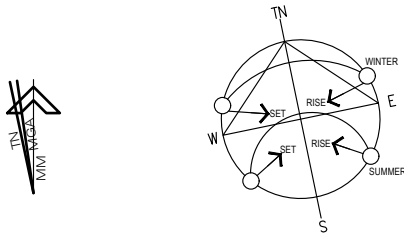
This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage).

LEGEND

Shadow at approx. round level
- 9:00am 22 June EST

Shadow at approx. ground level
- 9:00am 22 March/September EST

NOTE:
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issue	revision	date	by

B	Development Application	22/09/2021
A	Preliminary	27/08/2021

issue	issued for	date
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scale	date	drawn	
1:200 @ A2	JUL 2021	GJS	

project no.	drawing no.	issue	rev.
21-1442	100	B	

drawing
Shadow Diagrams
9am as Noted

project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach

local authority
Central Coast Council

client
Modern Property Solutions

KM design partners
sustainable
building design

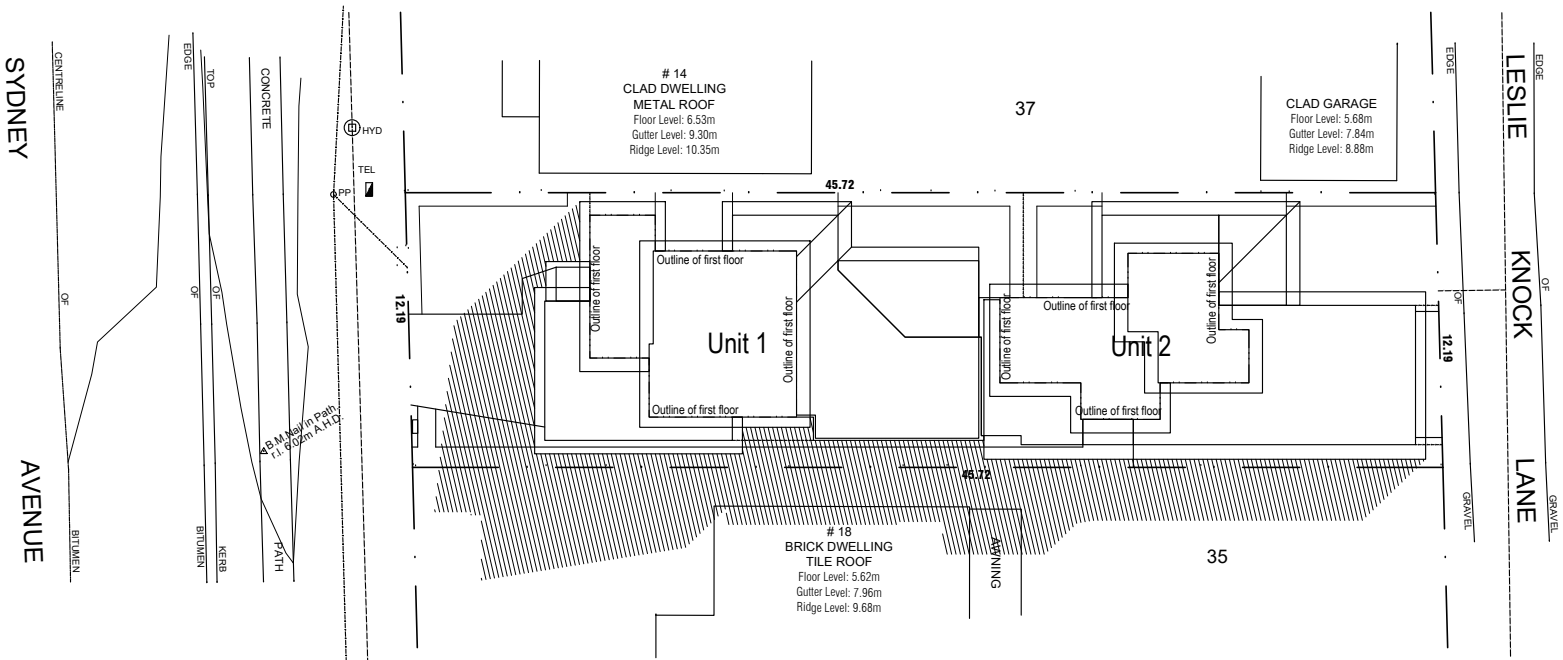
Km

ABN 85 151 275 795
PO BOX 3014, UMINA BEACH, NSW, 2257
ph: 02 4342 2721
email: admin@kmdp.design
web: www.knightmapleton.com.au

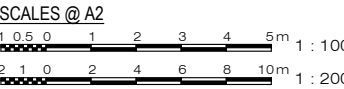
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Chartered Member No. 649-00 of



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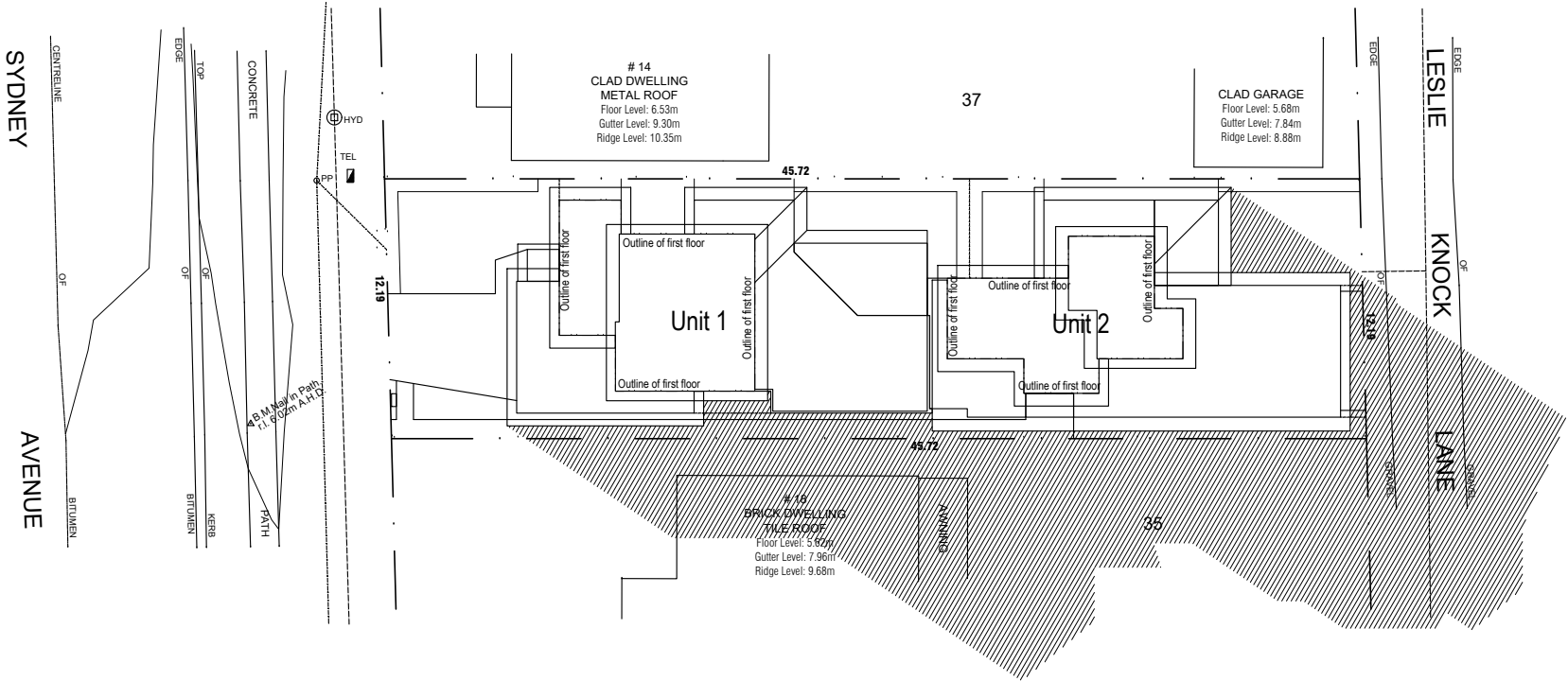
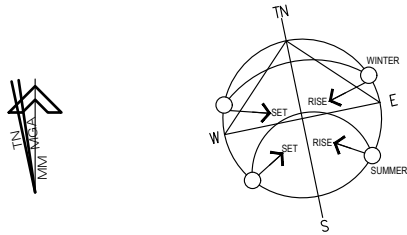


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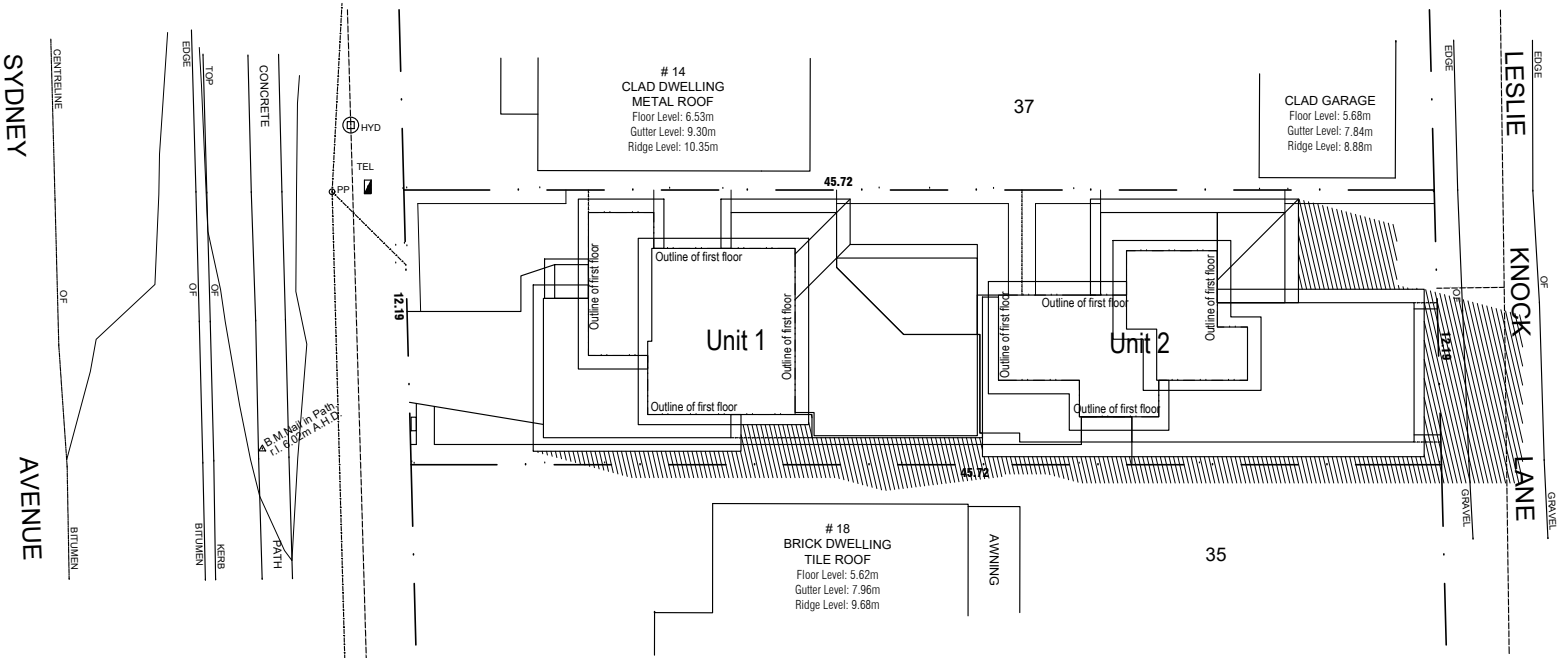
LEGEND

- Shadow at approx. ground level
- 3:00pm 22 June EST
- Shadow at approx. ground level
- 3:00pm 22 March/September EST

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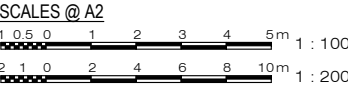


22 JUNE - 3:00pm



22 MARCH/SEPTEMBER - 3:00pm

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scale	date	drawn	
1:200 @ A2	JUL 2021	GJS	

project no.	drawing no.	issue	rev.
21-1442	130	B	

drawing
Shadow Diagrams
3pm as Noted

project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach

local authority
Central Coast Council

client
Modern Property Solutions

KM design partners

Km

sustainable
building design

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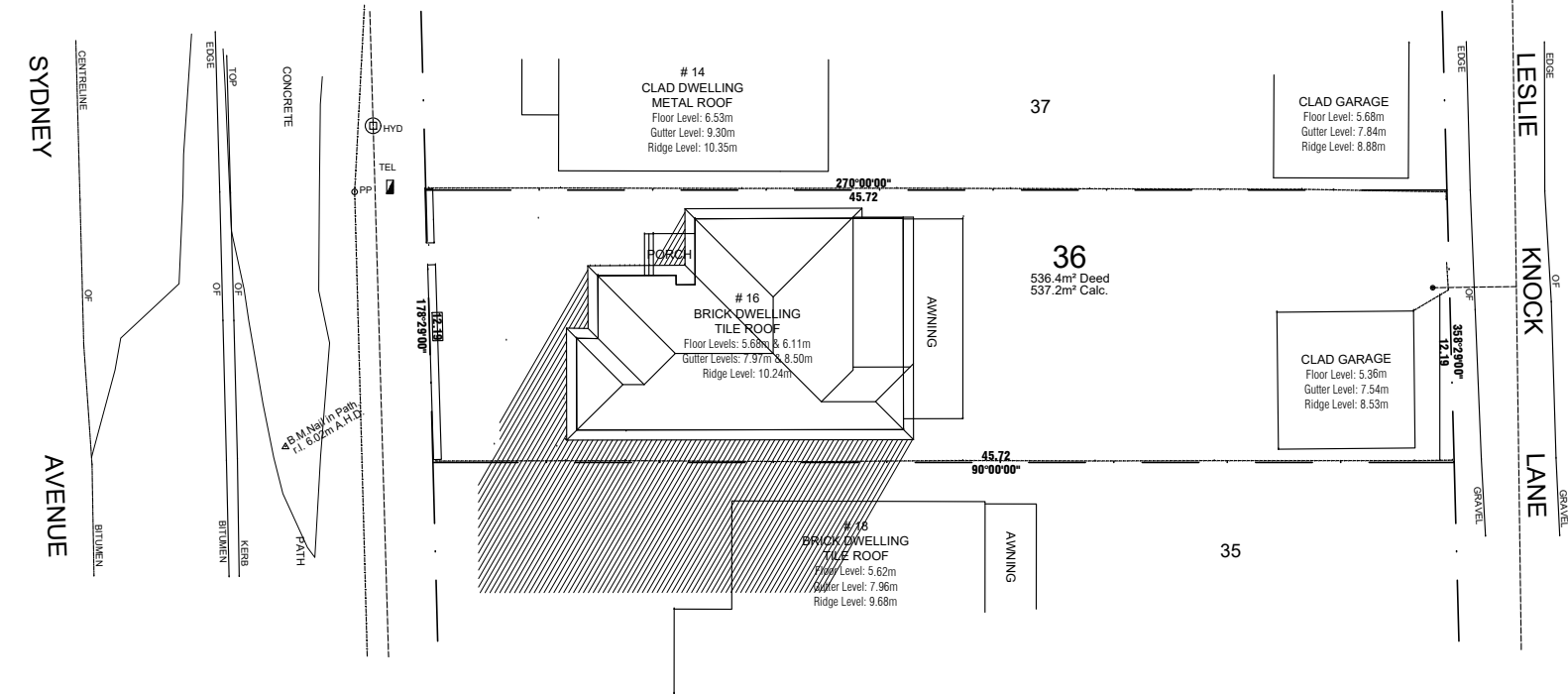
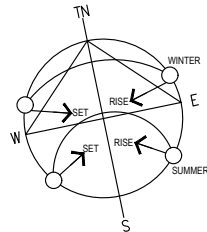
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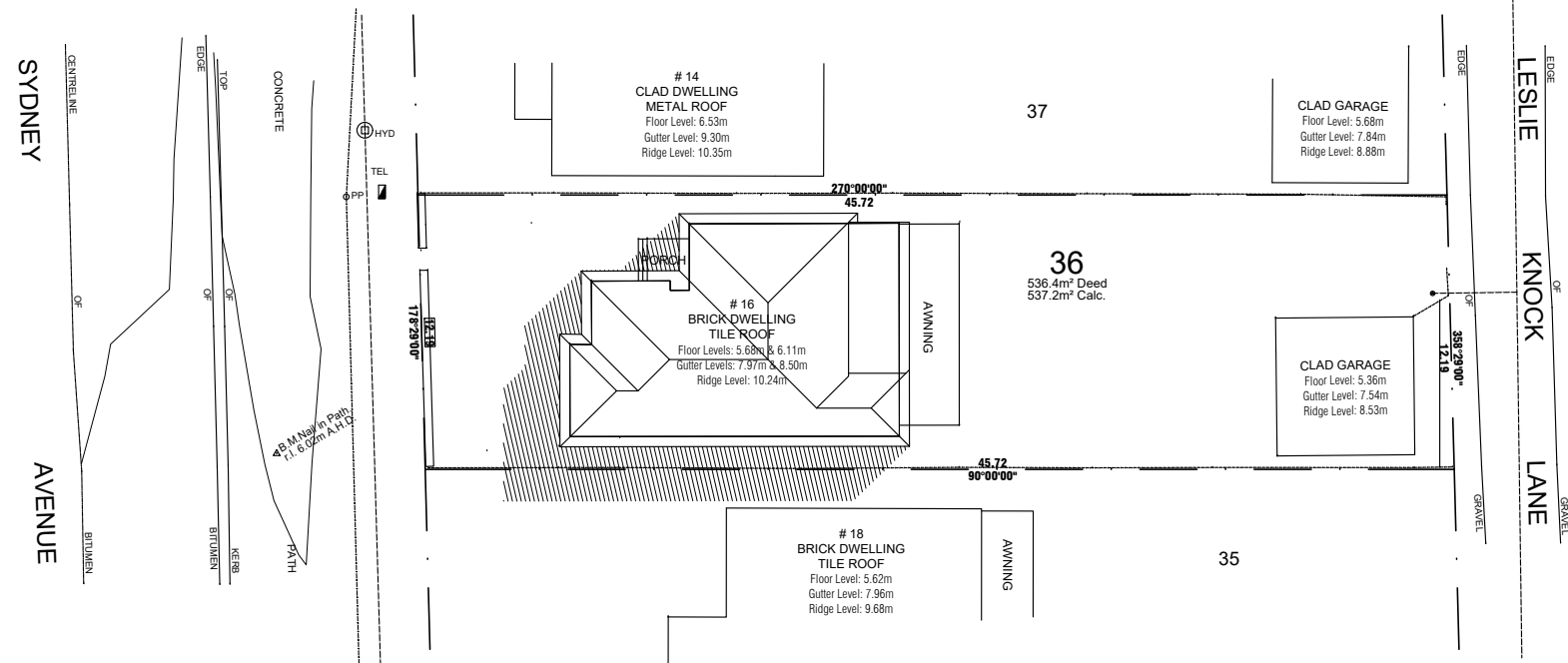
LEGEND

- Shadow at approx. round level
- 9:00am 22 June EST
- Shadow at approx. ground level
- 9:00am 22 March/September EST

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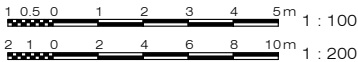
22 JUNE - 9:00am



22 MARCH/SEPTEMBER - 9:00am

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SCALES @ A2



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issue	revision	date	by

B	Development Application	22/09/2021
A	Preliminary	27/08/2021
issue	issued for	date

scale	date	drawn	
1:200 @ A2	JUL 2021	GJS	
project no.	drawing no.	issue	rev.
21-1442	140	B	

drawing
Existing Shadow Diagrams
9am as Noted

project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach

local authority
Central Coast Council

client
Modern Property Solutions

KM design partners
sustainable
building design

Km

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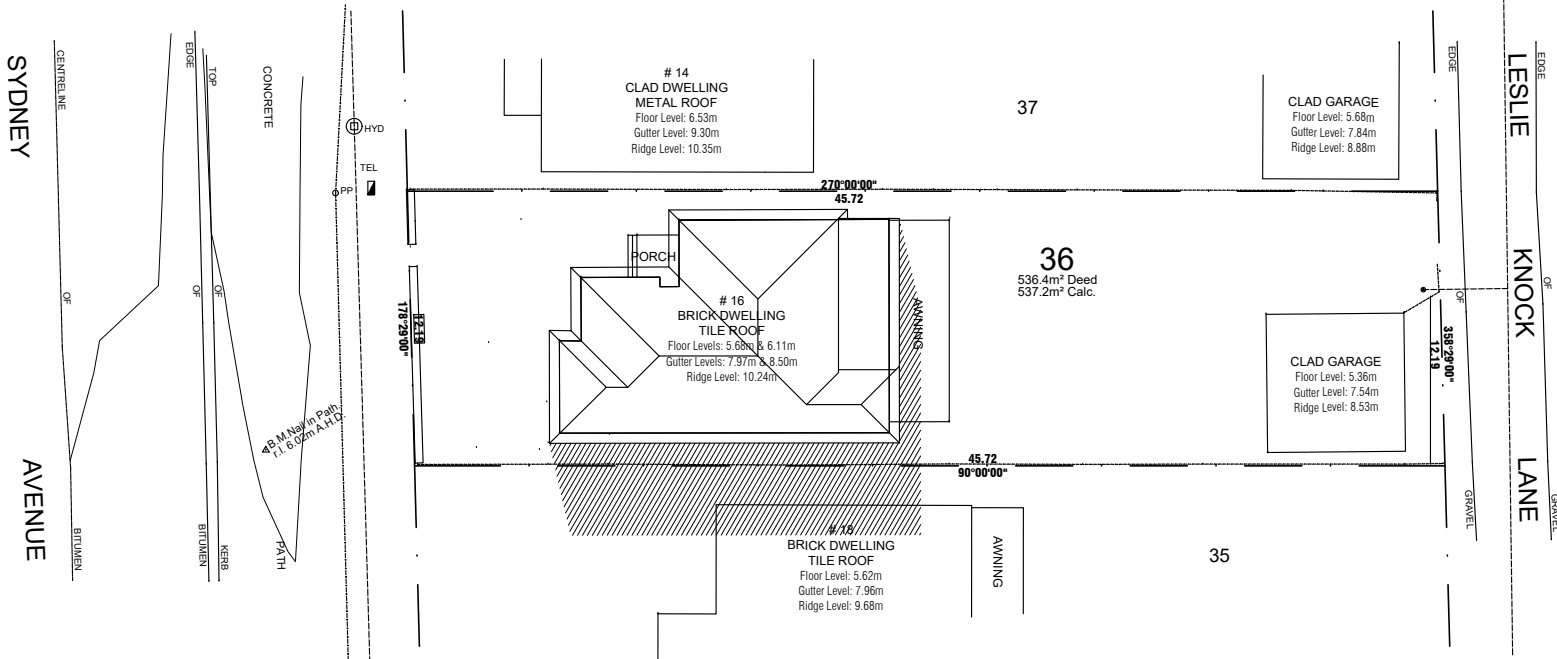
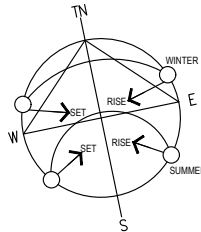
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LEGEND

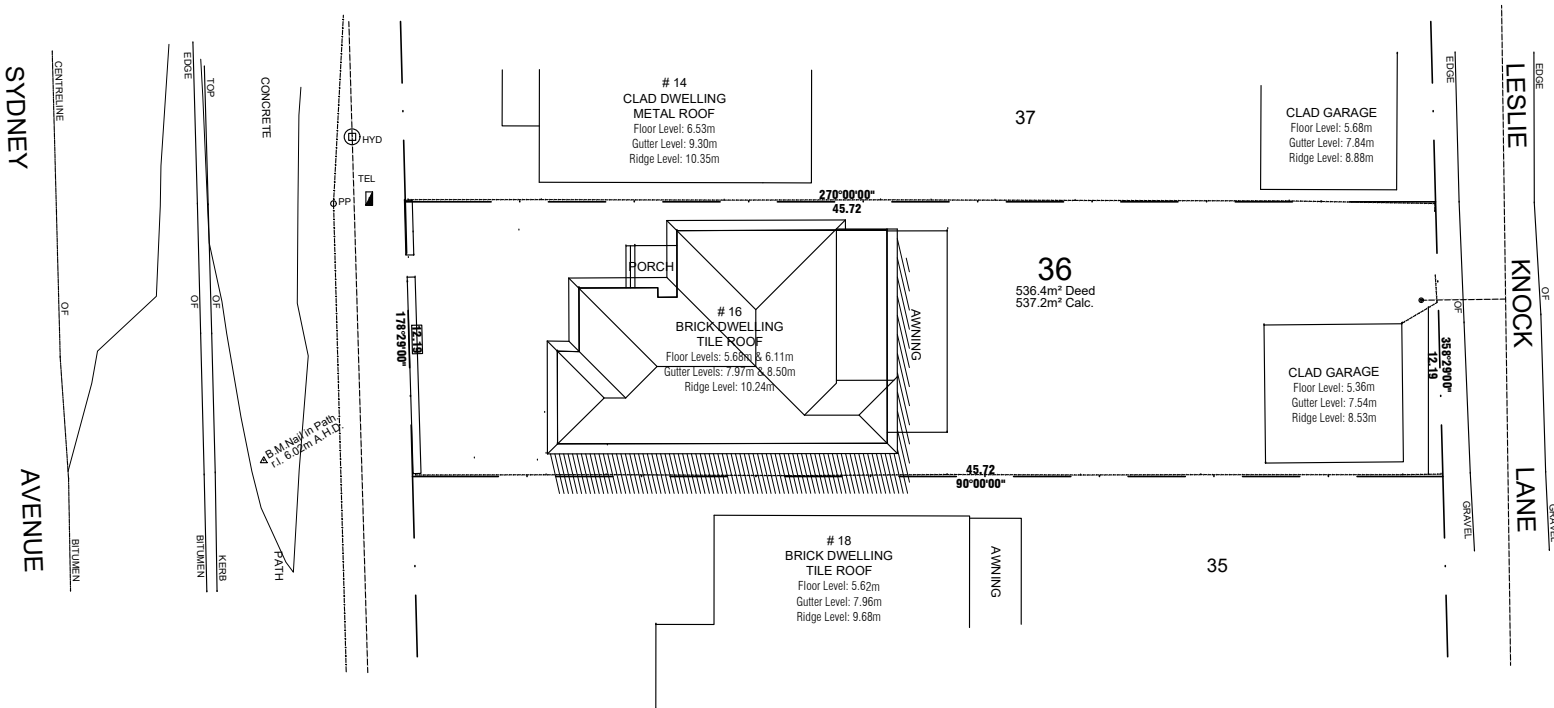
 Shadow at approx. ground level
- 12 noon 22 June EST

 Shadow at approx. ground level
- 12 noon 22 March/September EST

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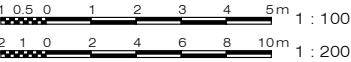
22 JUNE - 12:00noon



22 MARCH/SEPTEMBER - 12:00noon

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SCALES @ A2



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issue	revision	date	by

B	Development Application	22/09/2021	
A	Preliminary	27/08/2021	
issue	issued for	date	

scale	date	drawn	
1:200 @ A2	JUL 2021	GJS	
project no.	drawing no.	issue	rev.
21-1442	150	B	

drawing
Ex Shadow Diagrams
12noon as Noted

project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach

local authority
Central Coast Council

client
Modern Property Solutions

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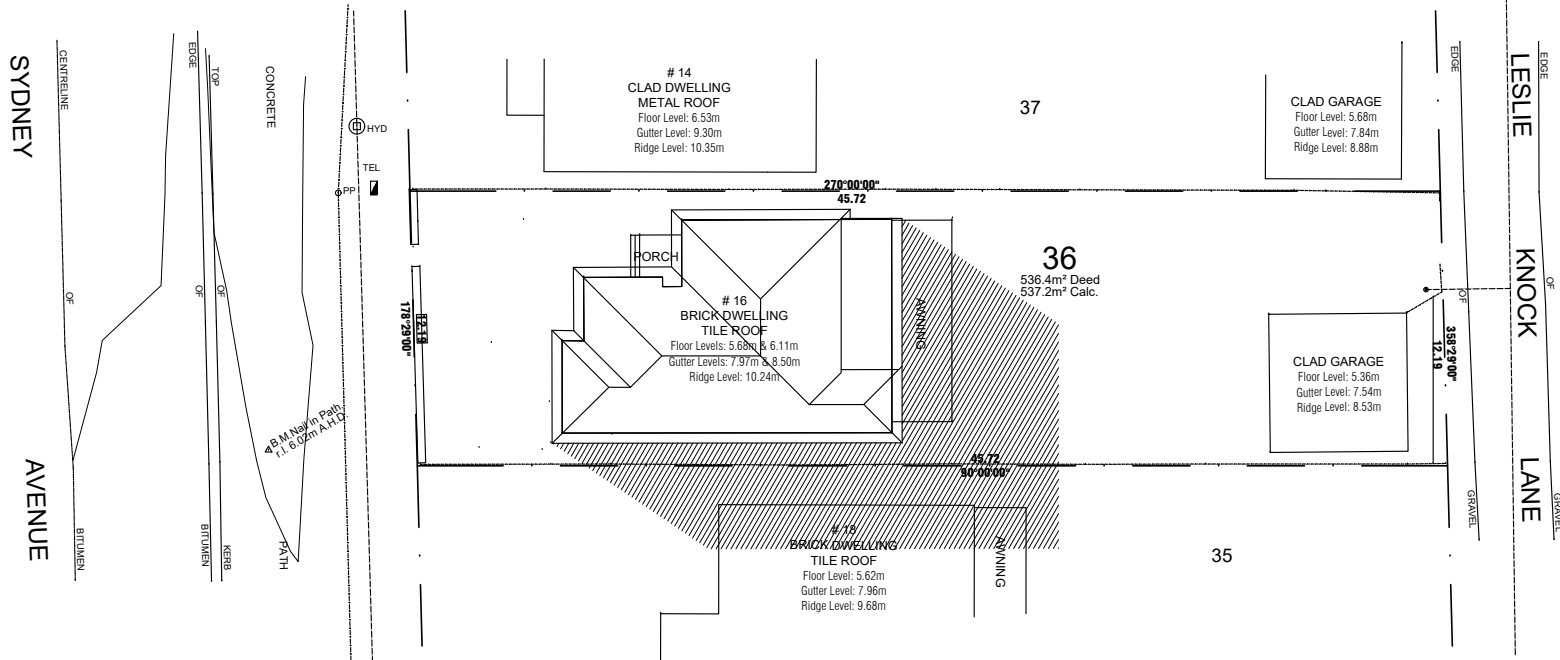
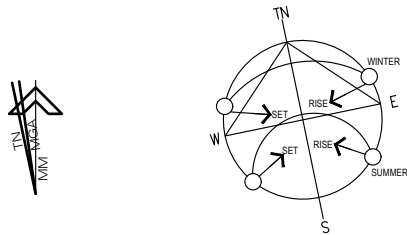
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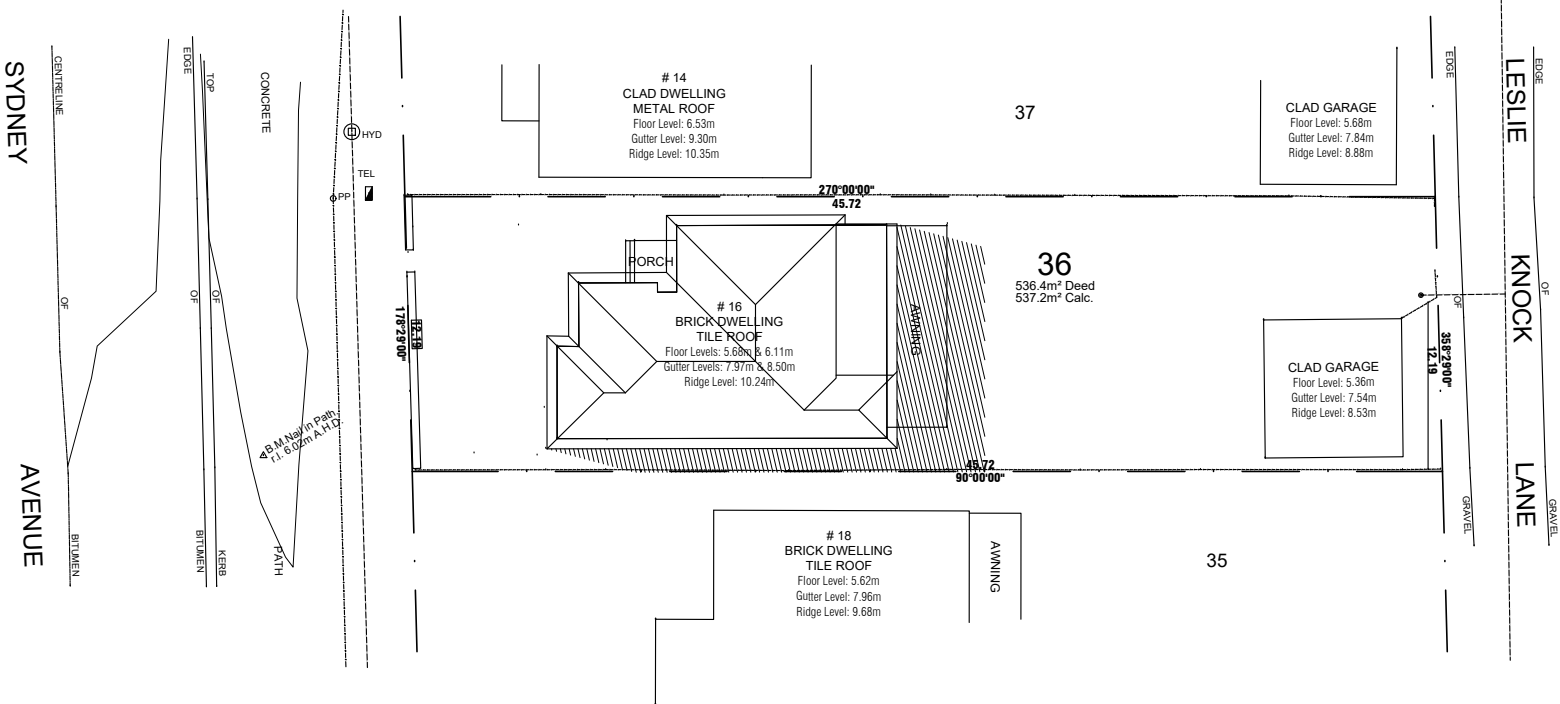
LEGEND

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- 3:00pm 22 June EST
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- 3:00pm 22 March/September EST

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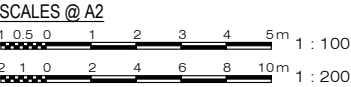


22 JUNE - 3:00pm



22 MARCH/SEPTEMBER - 3:00pm

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scale	date	drawn	
1:200 @ A2	JUL 2021	GJS	

project no.	drawing no.	issue	rev.
21-1442	160	B	

drawing
Existing Shadow Diagrams
3pm as Noted

project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach

local authority
Central Coast Council

client
Modern Property Solutions

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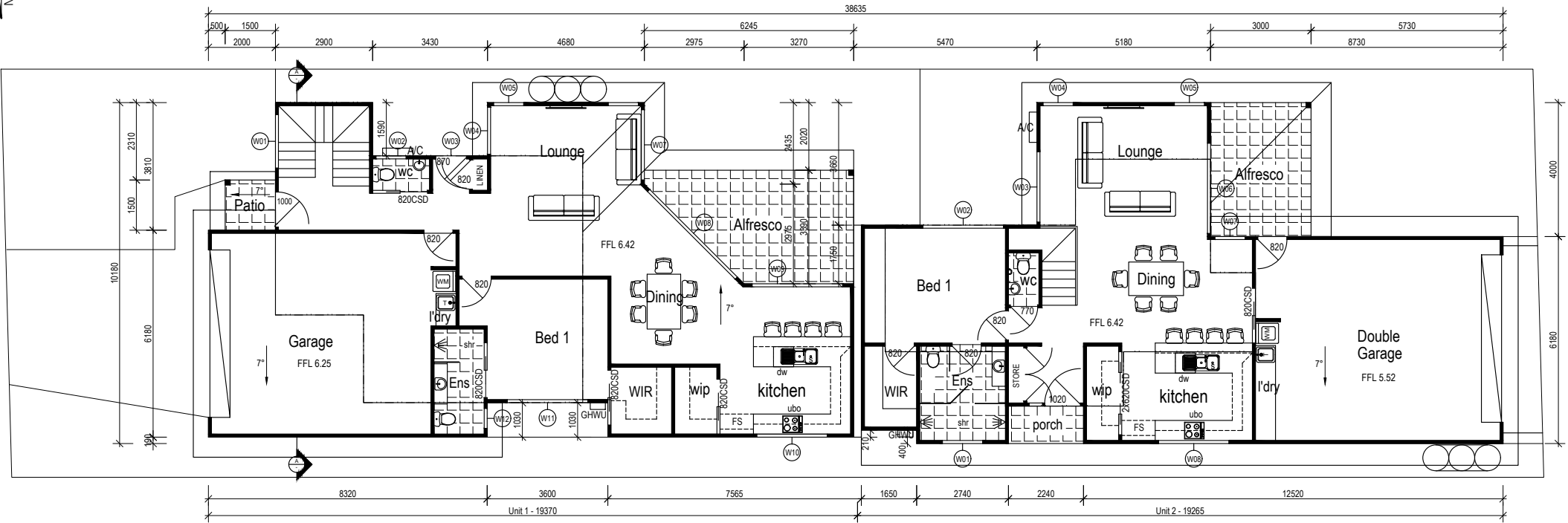
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Ground Floor Plan

UNIT 1	
Grd Floor LIVING	92.02m ²
First Floor LIVING	55.33m ²
TOTAL LIVING	147.35m ²
GARAGE	41.37m ²
PRIVATE OPEN SPACE	64.99m ²

UNIT 2	
Grd Floor LIVING	84.47m ²
First Floor LIVING	44.69m ²
TOTAL LIVING	129.16m ²
GARAGE	43.80m ²
PRIVATE OPEN SPACE	69.88m ²



WINDOW SCHEDULE - UNITS 1

Note: 1. Indicated window sizes and types are nominal only.
2. Where required windows are to comply with the provisions of NCC 2019.

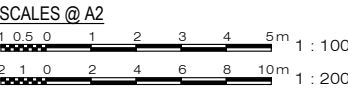
Number	Location	Height	Width	Head Ht	Glass	Frame	Type	Note
01	Stairs	1200	1600	2400	Single Clear	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
02	WC	900	600	2400	Single Opaque	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
03	Linens	2400	820	2400	Single Clear	Aluminium	Sliding Door	Uw = 6.70; SHGCw = 0.70
04	Lounge	1200	1400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
05	Lounge	1800	900	2400	Single Opaque	Aluminium	Louvre	Uw = 6.70; SHGCw = 0.70
06	Lounge	1800	900	2400	Single Clear	Aluminium	Louvre	Uw = 6.70; SHGCw = 0.70
07	Lounge	1200	2100	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
08	Dining	2400	3700	2400	Single Clear	Aluminium	Stack Sliding Door	Uw = 6.70; SHGCw = 0.70
09	Kitchen	2400	2700	2400	Single Clear	Aluminium	Stack Sliding Door	Uw = 6.70; SHGCw = 0.70
10	Kitchen	600	2100	1500	Single Opaque	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
11	Bed 1	2400	2400	2400	Single Clear	Aluminium	Sliding Door	Uw = 6.70; SHGCw = 0.70
12	Ensuite	900	600	2400	Single Opaque	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
13	Family	1200	2700	2400	Single Clear	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
14	Stairs	2400	1600	2400	Single Clear	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
15	Stairs	2400	1800	2400	Single Clear	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
16	Bed 2	600	2400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
17	Bed 3	600	2400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
18	Bath	600	1200	2400	Single Opaque	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
19	Bath	1200	1200	2400	Single Opaque	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
20	Family	1200	600	2400	Single Clear	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70

WINDOW SCHEDULE - UNITS 2

Note: 1. Indicated window sizes and types are nominal only.
2. Where required windows are to comply with the provisions of NCC 2019.

Number	Location	Height	Width	Head Ht	Glass	Frame	Type	Note
01	Ensuite	600	1800	2400	Single Opaque	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
02	Bed 1	2400	2400	2400	Single Clear	Aluminium	Sliding Door	Uw = 6.70; SHGCw = 0.70
03	Lounge	2400	2100	2400	Single Clear	Aluminium	Sliding Door	Uw = 6.70; SHGCw = 0.70
04	Lounge	1800	900	2400	Single Clear	Aluminium	Louvre	Uw = 6.70; SHGCw = 0.70
05	Lounge	1800	900	2400	Single Clear	Aluminium	Louvre	Uw = 6.70; SHGCw = 0.70
06	Lounge	2400	2700	2400	Single Clear	Aluminium	Stack Sliding Door	Uw = 6.70; SHGCw = 0.70
07	Dining	900	1800	2400	Single Clear	Aluminium	Louvre	Uw = 6.70; SHGCw = 0.70
08	Kitchen	600	2100	1500	Single Clear	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
09	Sitting	600	2400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
10	Sitting	1500	600	2400	Single Clear	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
11	Bed 3	600	2400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
12	Stairs	1800	1800	2400	Single Clear	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
13	Bed 2	900	2400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
14	Bath	1200	1800	2400	Single Opaque	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70
15	Sitting	1500	600	2400	Single Clear	Aluminium	Awning	Uw = 6.70; SHGCw = 0.70

NOTE:
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issue	revision	date	by

B	Development Application	22/09/2021
A	Preliminary	27/08/2021
issue	issued for	date

scale	date	drawn	
1:100 @ A2	JUL 2021	GJS	
project no.	drawing no.	issue	rev.
21-1442	200	B	

drawing
Ground Floor Plan

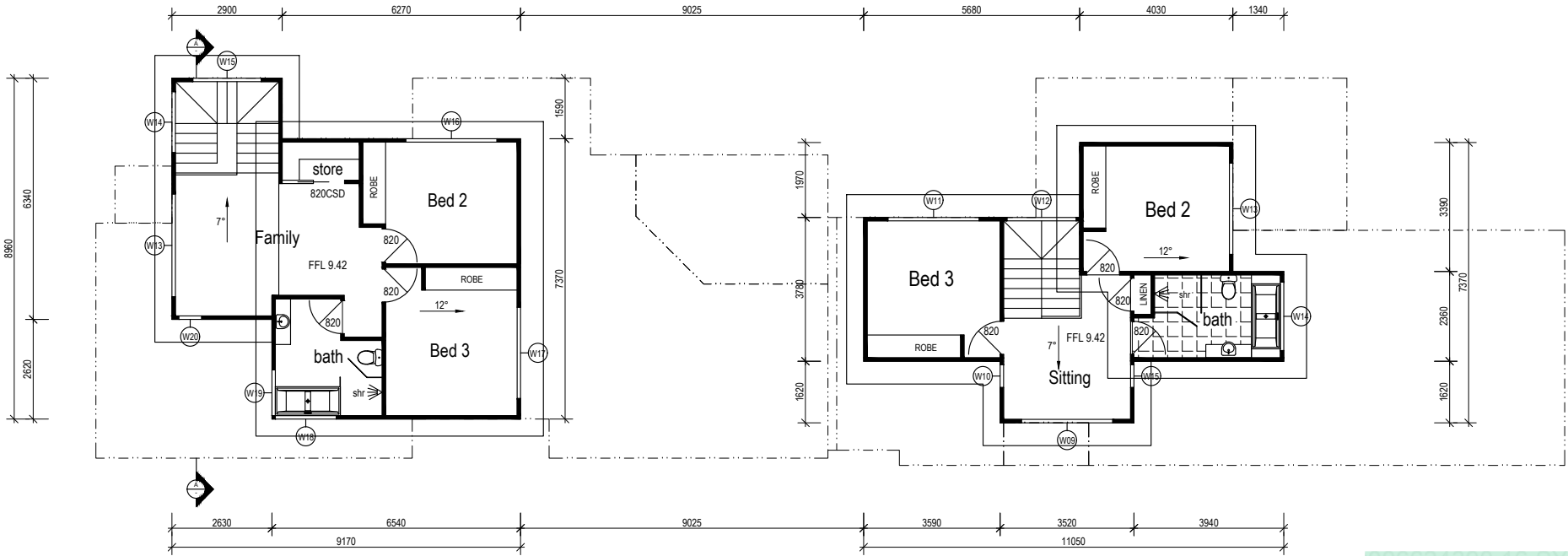
project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach
local authority
Central Coast Council

client
Modern Property Solutions

KM design partners
sustainable
building design
KMD
ABN 85 151 275 795
PO BOX 3014, UMINA BEACH, NSW, 2257
ph: 02 4342 2721
email: admin@kmdp.design
web: www.knightmapleton.com.au

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First Floor Plan



16 Sydney Avenue Umina Beach			
SUMMARY OF BASIX COMMITMENTS FOR EACH UNIT			
This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the CURRENT BASIX Certificate for Complete details. For definitions refer to basix.nsw.gov.au			
WATER COMMITMENTS			
Fixtures			
4 Star Shower Heads	Yes (> 4.5 but <= 6 L/min)		
3 Star Kitchen / Basin Taps	Yes	3 Star Toilet	Yes
Alternative Water			
Minimum Tank Size (L)	2000	Collected from Roof Area (m2)	40
Tank Connected To:			
All Toilets	Yes	Laundry W/M Cold Tap	Yes
One Outdoor Tap	Yes		
THERMAL COMFORT COMMITMENTS - Refer to TPA Specification on plans			
ENERGY COMMITMENTS			
Hot Water	Gas Instantaneous	6 Star	
Cooling System	Living	1 Phase A/C Zoned	3 Star
	Bedrooms	1 Phase A/C Zoned	3 Star
Heating System	Living	1 Phase A/C Zoned	3 Star
	Bedrooms	1 Phase A/C Zoned	3 Star
Ventilation	1 x Bathroom	Fan ducted to exterior	Manual on/off
	Kitchen	Fan ducted to exterior	Manual on/off
	Laundry	Natural ventilation	N/A
Natural Lighting	Window/Skylight in Kitchen	Yes	
	Window/Skylight in Bathrooms/Toilets	Yes to 2	
Artificial Lighting	Number of bedrooms	All Dedicated	Yes
	Number of Living/Dining rooms	All Dedicated	Yes
(rooms to be primarily lit by fluorescent or LED lights)	Kitchen	Yes Dedicated	Yes
	All Bathrms/Toilets	Yes Dedicated	Yes
	Laundry	Yes Dedicated	Yes
	All Hallways	Yes Dedicated	Yes
OTHER COMMITMENTS			
Out & Indoor clothes line	Yes	Ventilated refrigerator space	Yes
Stove/Oven		Gas cooktop & electric oven	
Alternative Energy	n/a		

September 2021	BSA Reference: 17678
Building Sustainability Assessments	Ph: (02) 4962 3439
enquiries@buildingsustainability.net.au	www.buildingsustainability.net.au
Important Note	
The following specification was used to achieve the thermal performance values indicated on the Assessor Certificate and takes precedence over any other specification. If different construction elements are applied than the Assessor Certificate is no longer valid.	
Thermal Performance Specifications (does not apply to garage)	
External Wall Construction	Added Insulation
Lightweight	R2.5 to U1 only
Lightweight	R2.0 to U2
Internal Wall Construction	Added Insulation
Plasterboard on studs	R2.5 to walls adjacent to garage to U1 only
Plasterboard on studs	R2.0 to walls adjacent to garage to U2
Double brick (party walls)	None
Ceiling Construction	Added Insulation
Plasterboard	R5.0 to ceilings adjacent to roof space to U1 only
Plasterboard	R3.5 to ceilings adjacent to roof space to U2
Roof Construction	Colour
Metal	Any
Floor Construction	Covering
Concrete	As drawn
Timber	As drawn
Windows	Glass and frame type
Performance glazing Type A	U Value SHGC Range Area sq m
ALM-001-01 A	Aluminium Type A Single clear 5.60 0.32 - 0.4 To U1
Performance glazing Type B	5.60 0.37 - 0.45 To U1
ALM-002-01 A	Aluminium Type B Single clear 6.70 0.51 - 0.63 To U2
ALM-002-01 A	Aluminium Type B Single clear 6.70 0.63 - 0.77 To U2
Type A windows are awning windows, bifolds, casements, tilt 'n turn windows, entry doors, french doors	
Type B windows are double hung windows, sliding windows & doors, fixed windows, stacker doors, louvers	
Skylights	Glass and frame type
	U Value SHGC Area sq m
U and SHGC values are according to AFRC. Alternate products may be used if the U value is lower and the SHGC is within the range specified	
External Window Shading	(eaves, verandahs, pergolas, awnings etc)
All shade elements modelled as drawn	
Ceiling Penetrations	(downlights, exhaust fans, flues etc)
No adjustment has been made for losses to insulation arising from ceiling penetrations.	
Ceiling Fans used in the Modelling and to be installed in the following areas	
Living areas = None, Bedrooms = None	

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SCALES @ A2

1 0.5 0 1 2 3 4 5m 1 : 100

2 1 0 2 4 6 8 10m 1 : 200

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issue	issued for	date	

scale	date	drawn	
1:100 @ A2	JUL 2021	GJS	
project no.	drawing no.	issue	rev.
21-1442	210	B	

drawing
First Floor Plan

project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach

local authority
Central Coast Council

client
Modern Property Solutions

KM design partners
sustainable
building design

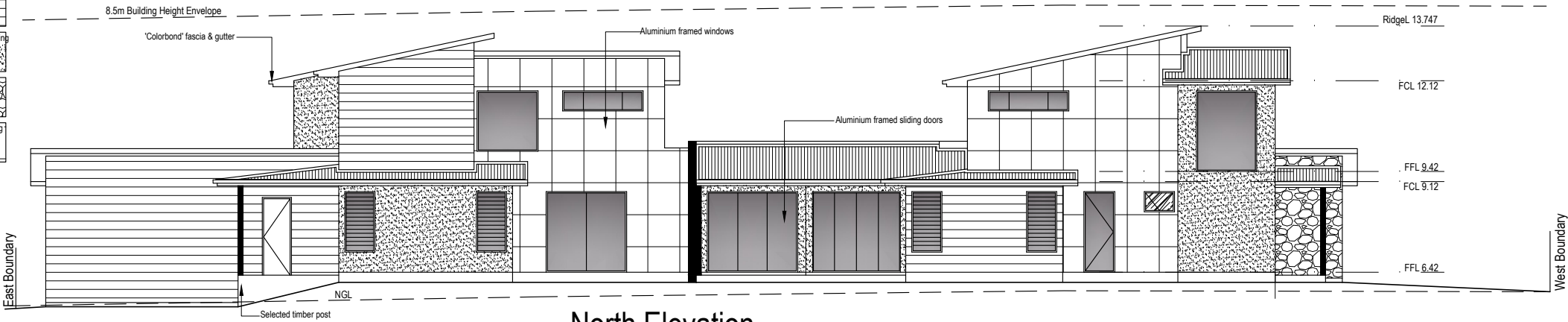
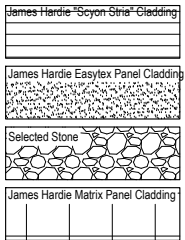
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email: admin@kmdp.design
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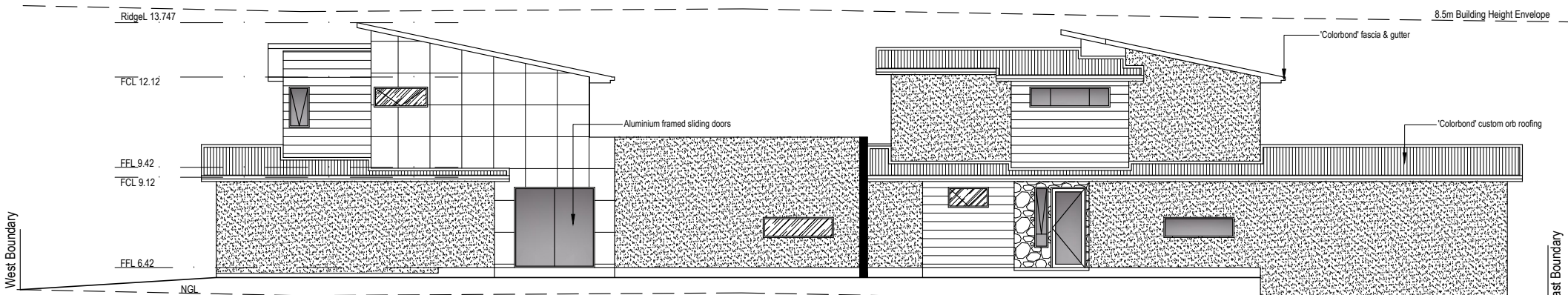
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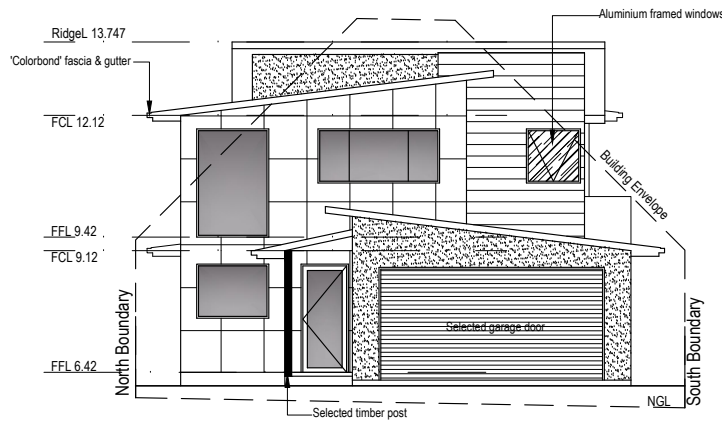
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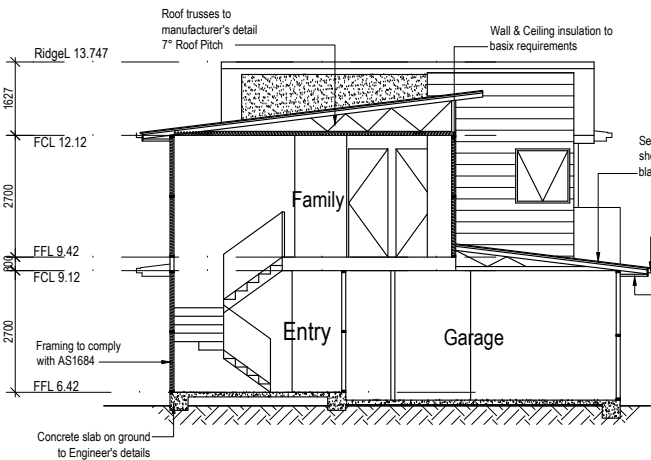
North Elevation



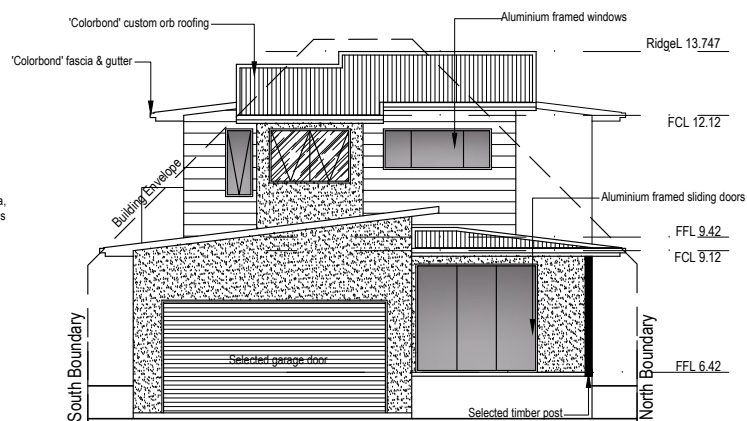
South Elevation



West Elevation



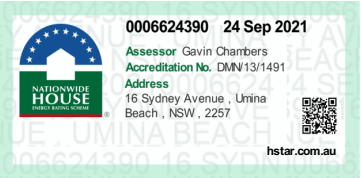
Section AA



East Elevation

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SCALES @ A2
1:100
1 0.5 0 1 2 3 4 5m
1:200
2 1 0 2 4 6 8 10m



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A	Preliminary	27/08/2021

scale	date	drawn	rev.
1:100 @ A2	JUL 2021	GJS	
project no.	drawing no.	issue	rev.
21-1442	300	B	

drawing
Elevations as Noted & Section AA

project
Dual Occupancy
2 x Units

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach
local authority
Central Coast Council

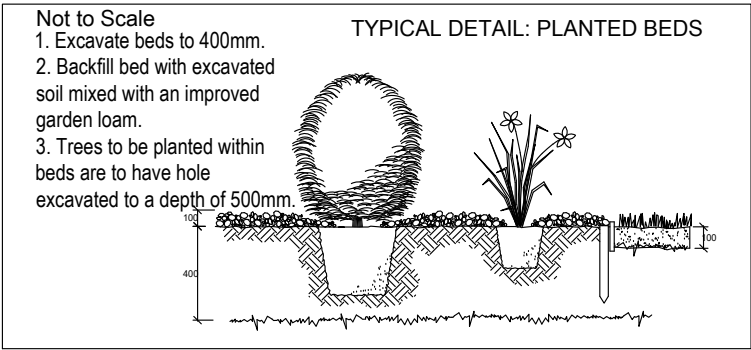
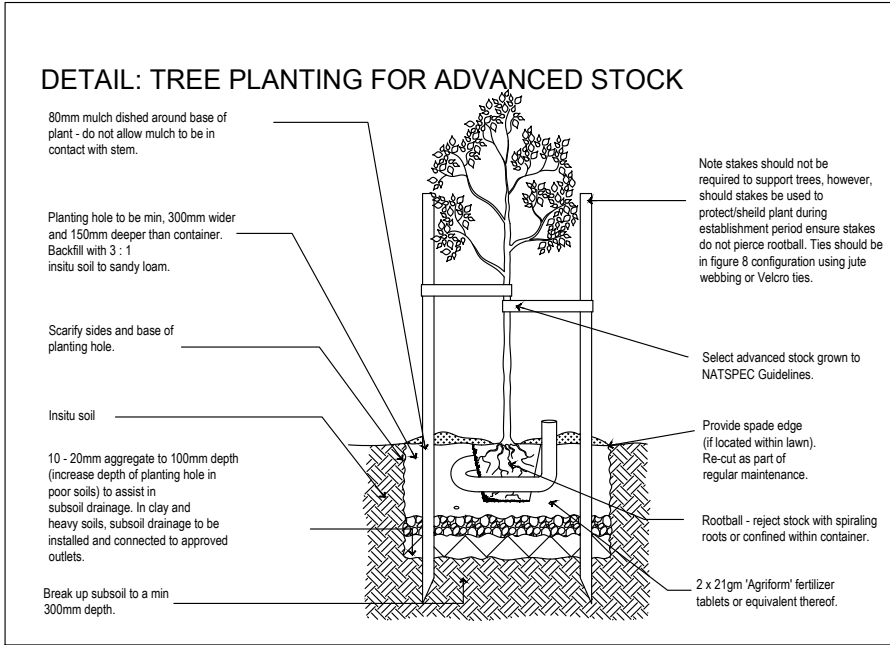
client
Modern Property Solutions

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Proposed Planting Structure			
Symbol	Plant Species	Common Name	Pot Size
Selected Trees			
	Hymenosporum flavum	Native Frangipani	25 Litre
	Banksia Serrata	Saw Tooth Banksia	25 Litre
Shrubs & Screening			
	Acmena smithii minor	Creek Lilly Pilly	200mm
	Syzygium ellipt	Dwarf Lilly Pilly	200mm
	Dietes Grandiflora	Wild Iris	200mm
	Murraya paniculata	Orange Jessamine	200mm
	New Lawn Areas		
	Permeable Path Areas		
	Concrete to Driveways, Paths Porches & Alfresco Areas		

MAINTENANCE SCHEDULE						
TEMS	MONTHS AFTER PLANTING					
	1	2	3	4	5	6
WATERING FREQUENCY	Week 1- Daily. There-after- 3x a week.	1x week (up to 3 x a week in sandy soils)	Weekly During periods of drought or unseasonably high temps. - increase up to 3 x a week (restrict to cooler times of day, preferably a.m.)			
	NOTE: Installation of an irrigation system is advised. To be installed by a qualified irrigation specialist and to comply with all Water Board Standards.					
PEST & FUNGI CONTROL	Check weekly	Inspect monthly and when known seasonal outbreaks would normally occur - also if plant appears stressed. Treat with suitable pesticide/fungicide in accordance with manufacturers instructions (seek advice if uncertain of required treatment).				
WEED CONTROL	On a regular monthly basis. Remove manually from garden beds or, (with care) use a suitable herbicide. Lawns and sealed surfaces - use an appropriate herbicide to manufacturers instructions.					
PLANT REPLACEMENT	Where the select species has not adapted to the site or has been damaged. When a plant appears to be stressed, diseased or infected with a virus and beyond recovery - replace with the same or more suitable species (seek advice - council may need to be advised).					
FERTILISER APPLICATION	Nil for first three months (Plants should have fertiliser tablets applied during planting)			Bi-Annual application of BLOOD & BONE(natives) or Dynamic Lifter (exotics) at manufacturers recommended rates.		
MULCH REPLACEMENT	Annually, to minimum depth of 75mm. Check mulch is not in direct contact with plant stems/trunks.					
HARD LANDSCAPE MAINTENANCE	Concrete and paved surfaces - check quarterly for weeds - use a suitable herbicide to remove. Timber edgings - check for splits or damaged timbers. Check edging is affixed to pegs.					
EXISTING VEGETATION	Monthly checks on existing vegetation to ascertain any stress from recent development works. Procure advise from a qualified arborist, if a change in trees health and vigour is noted or if there is a noted increase in pest or diseases.					

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A	Preliminary	27/08/2021

scale	date	drawn	
1:200 @ A2	JUL 2021	GJS	
project no.	drawing no.	issue	rev.
21-1442	400	B	

drawing
Landscape Plan

project
**Dual Occupancy
2 x Units**

site
Lot 36 in DP 9894
16 Sydney Ave, Umina Beach

local authority
Central Coast Council

client
Modern Property Solutions

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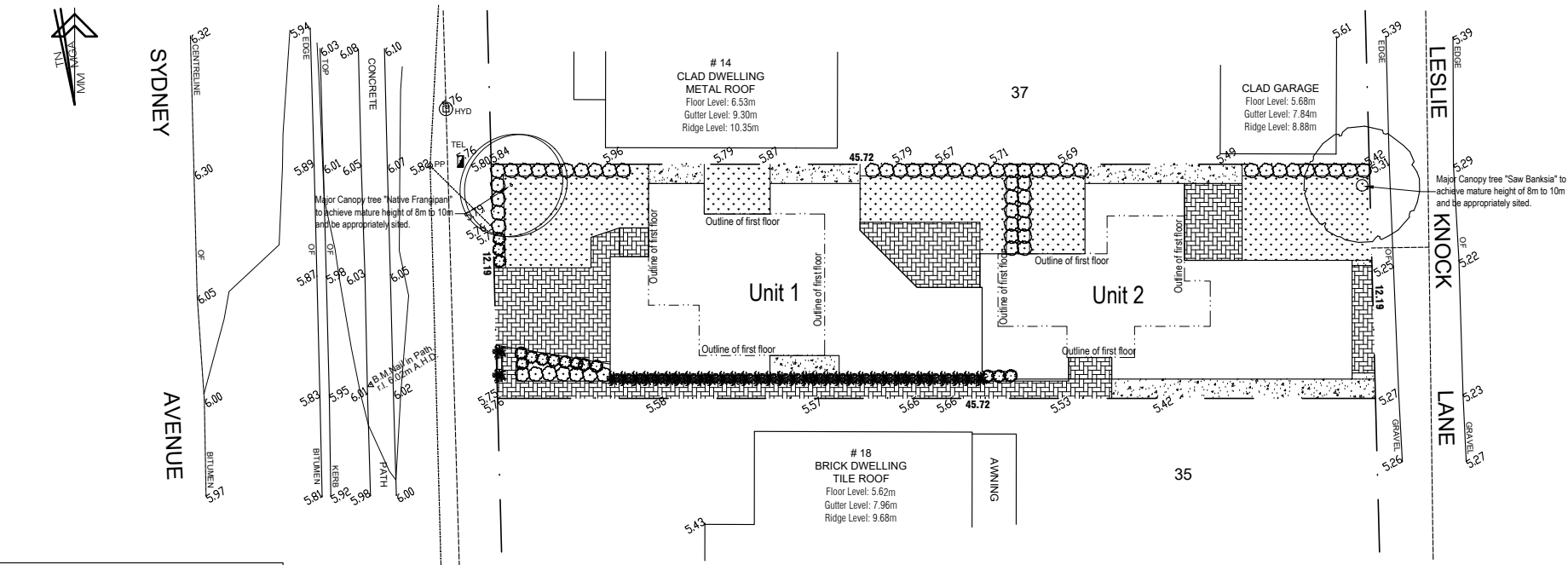
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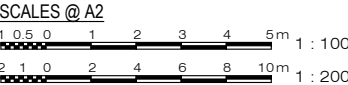
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BASIX[®]Certificate

Building Sustainability Index www.basix.nsw.gov.au

Multi Dwelling

Certificate number: 1242590M

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary

Date of issue: Friday, 24 September 2021

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,
Industry &
Environment

Project summary

Project name	17678
Street address	16 Sydney Avenue Umina Beach 2257
Local Government Area	Central Coast Council
Plan type and plan number	deposited 9894
Lot no.	36
Section no.	-
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	2
No. of single dwelling houses	0

Project score

Water	✓ 44	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 50	Target 50

Certificate Prepared by



(ABN: 27 131 950 064)

Ph: 02 4962 3439

Email: enquiries@buildingsustainability.net.au

Revision of Certificates not lodged within 3 months of the date of issue will incur further BASIX issuing fees.

Description of project

Project address	
Project name	17678
Street address	16 Sydney Avenue Umina Beach 2257
Local Government Area	Central Coast Council
Plan type and plan number	deposited 9894
Lot no.	36
Section no.	-
Project type	
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	2
No. of single dwelling houses	0
Site details	
Site area (m ²)	557
Roof area (m ²)	328
Non-residential floor area (m ²)	-
Residential car spaces	4
Non-residential car spaces	-

Common area landscape			
Common area lawn (m ²)	0.0		
Common area garden (m ²)	0.0		
Area of indigenous or low water use species (m ²)	-		
Assessor details			
Assessor number	DMN/13/1491		
Certificate number	0006624390		
Climate zone	15		
Ceiling fan in at least one bedroom	No		
Ceiling fan in at least one living room or other conditioned area	No		
Project score			
Water	✓ 44		Target 40
Thermal Comfort	✓ Pass		Target Pass
Energy	✓ 50		Target 50

Description of project

The tables below describe the dwellings and common areas within the project

Multi-dwelling houses

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
1	3	146.0	9.0	88.0	-

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
2	3	125.0	9.0	51.0	-

No common areas specified.

Schedule of BASIX commitments

1. Commitments for multi-dwelling houses
 - (a) Dwellings
 - (i) Water
 - (ii) Energy
 - (iii) Thermal Comfort
2. Commitments for single dwelling houses
3. Commitments for common areas and central systems/facilities for the development (non-building specific)
 - (i) Water
 - (ii) Energy

Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

1. Commitments for multi-dwelling houses

(a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install:			
(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and		✓	✓
(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓	✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	4 star (> 4.5 but ≤ 6 L/min)	3 star	3 star	3 star	-	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 2000.0 litres	To collect run-off from at least: 40.0 square metres of roof area;	yes	yes	yes	-	-
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	
(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.	✓	✓	✓

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 6 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
1	1-phase airconditioning 3 Star (old label) (zoned)	1-phase airconditioning 3 Star (old label) (zoned)	1-phase airconditioning 3 Star (old label) (zoned)	1-phase airconditioning 3 Star (old label) (zoned)	3 (dedicated)	2 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	3	yes
All other dwellings	1-phase airconditioning 3 Star (old label) (zoned)	1-phase airconditioning 3 Star (old label) (zoned)	1-phase airconditioning 3 Star (old label) (zoned)	1-phase airconditioning 3 Star (old label) (zoned)	3 (dedicated)	2 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	2	yes

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & electric oven	-	yes	-	-	-	yes	yes

Alternative energy	
Dwelling no.	Photovoltaic system (min rated electrical output in peak kW)
All dwellings	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must: (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Dwelling no.	Thermal loads	
	Area adjusted heating load (in mJ/m ² /yr)	Area adjusted cooling load (in mJ/m ² /yr)
1	53.0	32.0
All other dwellings	42.0	31.0

Dwelling no.	Construction of floors and walls				
	Concrete slab on ground(m²)	Suspended floor with open subfloor (m²)	Suspended floor with enclosed subfloor (m²)	Suspended floor above garage (m²)	Primarily rammed earth or mudbrick walls
1	98	-	-	18	No
All other dwellings	88	-	-	-	No

3. Commitments for common areas and central systems/facilities for the development (non-building specific)**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

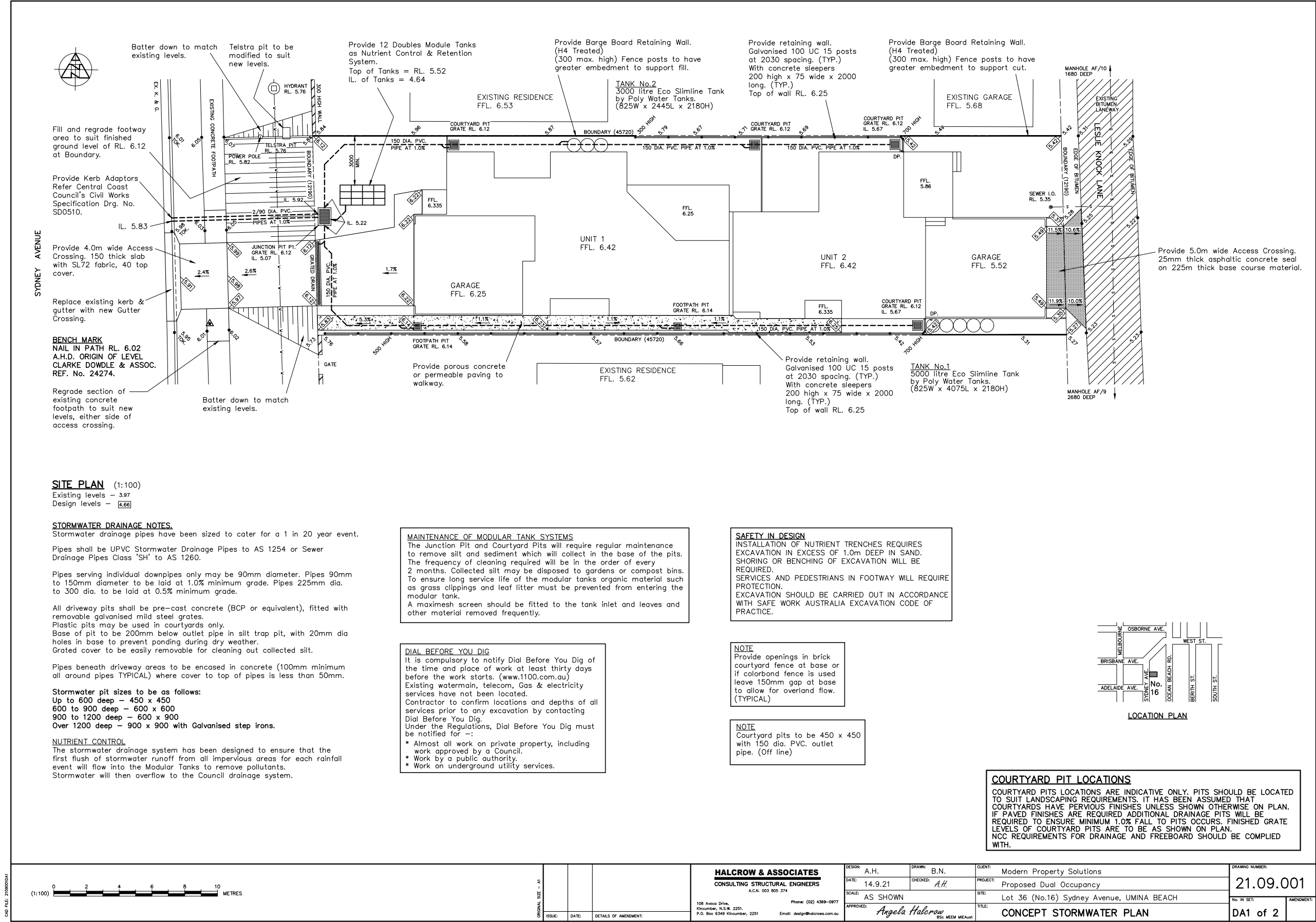
(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

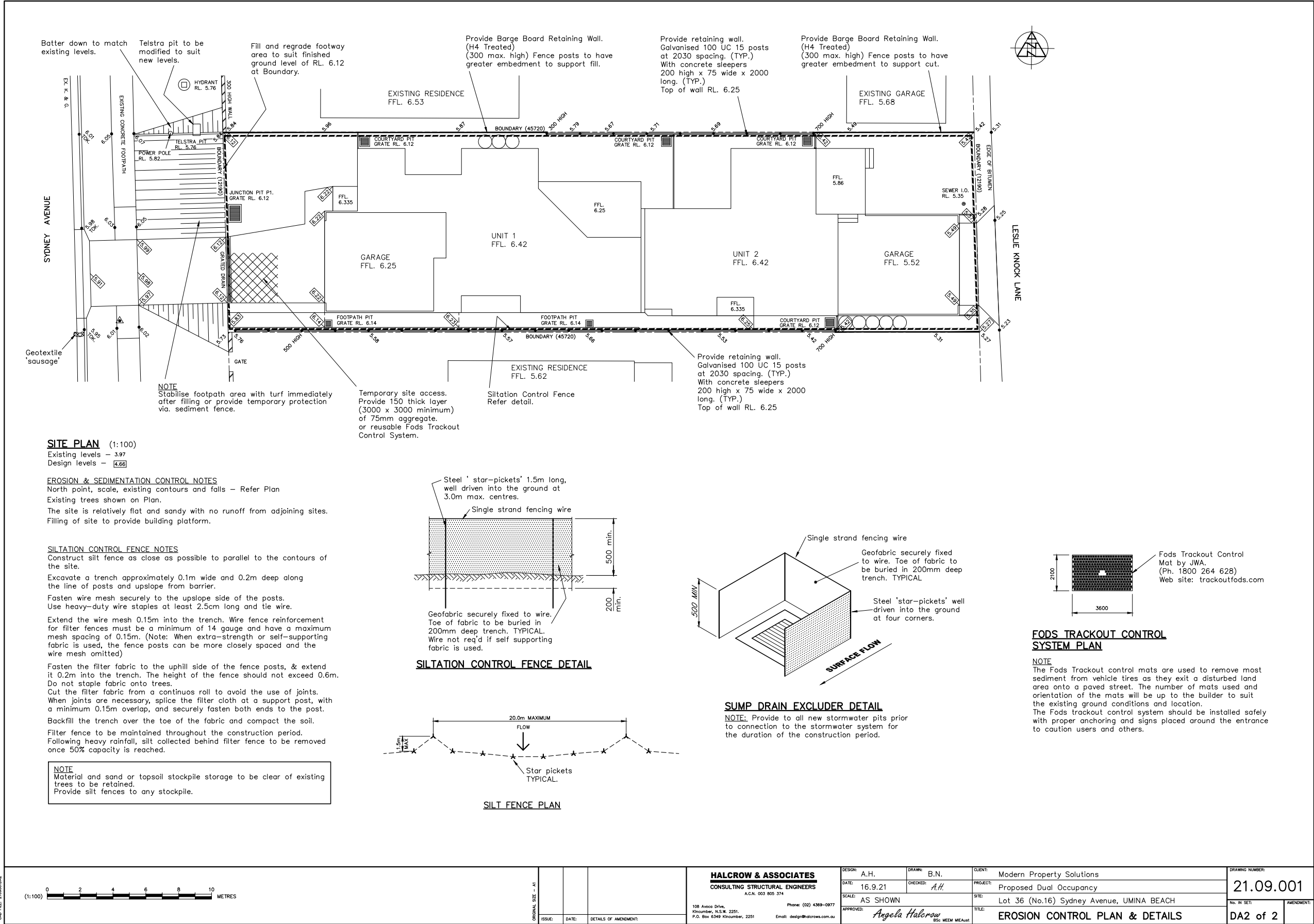
Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

Legend

1. Commitments identified with a "✔" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✔" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✔" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).





2109001

WATER CYCLE MANAGEMENT PLAN

FORMER GOSFORD DCP CHAPTER 6.7
WATER CYCLE MANAGEMENT

PLAN PREPARED FOR:
MODERN PROPERTY SOLUTIONS
16 SYDNEY STREET
UMINA BEACH

PLAN PREPARED BY:

Angela Halcrow BSc MEEM MIEAust CPENG

DATE: 17th September 2021

HALCROW & ASSOCIATES PTY LTD
CONSULTING CIVIL AND STRUCTURAL ENGINEERS
P.O BOX 6349 KINCUMBER
PHONE 43690977

This plan has been prepared to address the requirements of former GCC DCP Chapter 6.7 Water Cycle Management for the development project at 16 Sydney Street Umina Beach

PURPOSE

GCC DCP Chapter 6.7, Water Cycle Management aims to facilitate the application of water sensitive urban design to manage and restore the water balance, reduce risk to life and damage due to flooding, reduce potable water use and protect and enhance natural water systems.

The development at 16 Sydney Street Umina Beach is dual occupancy development and is required to address the following components of the DCP.

- Water conservation
- Retention
- Stormwater Quality
- Local Overland drainage
- Flooding

The development area of the site is less than 2000 square metres and therefore the deemed to comply solutions may be used.

The following information is provided to support compliance with the above requirements.

WATER CONSERVATION

Water conservation requirements are addressed by the Basix certificate for the development.

WATER RETENTION

The intent of the water retention target is to mimic the natural catchment hydrology form development sites in terms of Quantity (Volume), Rate (Peak flow) and Response (time it takes for rain to run off the site).

Using the deemed to comply requirements of DCP Chapter 6.7 the required retention volume is estimated as follows:

$$\begin{aligned} V &= 0.01A(0.02F)^2 \\ &= 0.01 \times 557.36 (0.02 \times 73)^2 \end{aligned}$$

Retention required using this method is 11.9 cubic metres.

Rainwater Reuse.

Rainwater reuse based on the deemed to comply formula is as follows:

Reuse for toilet, laundry reuse volume weekly is $35 \times 0.5 \times 376 = 6570$ litres

Landscape irrigation yields an additional 2100 litres based on 2 mm per sq m per day.

Rainwater tanks totaling a minimum of 8800 litres are therefore recommended for reuse on the site. Tanks proposed total 8000 litres therefore remainder is provided by infiltration.

The rainwater reuse is therefore not sufficient to meet the total retention required on the site and an infiltration trench is required. The required retention to be catered for using an infiltration trench is 3.9 cubic meters using the deemed to comply method. A retention trench of 2.95 cubic metres is proposed, junction pit 0.6 cubic meters. Infiltration estimates using typical permeability values for sand sites of 24m/day yield a further 3.3 cubic metres of infiltration over the 30 minute design period.

Total retention on site is therefore $= 8 + 2.95 + 3.0 = 13.95$ which exceeds the deemed to comply requirement.

STORMWATER QUALITY TARGET

All stormwater from the proposed development area will pass through either the rainwater tank or the infiltration trench apart from the rear lane driveway maximum of 5 square metres, SDI = 0.009 which is less than maximum allowable SDI= 0.1

Flows from the rainwater tank system will overflow to infiltration trench.

ON SITE DETENTION

On site detention is not generally required for dual occupancy developments. The proposed stormwater system however will provide some detention of stormwater via the infiltration system

OVERLAND FLOW REQUIREMENTS

The site is not in a designated overland flow path. The site currently falls towards the rear laneway. The laneway is undrained therefore fill will be used to direct most stormwater to the street frontage with only rear landscaping and driveway to the laneway. Piped drainage from the rear unit roof will also be directed towards the street drainage. Rear landscaping will remain undrained and finished as pervious finishes.

FLOODING REQUIREMENT

The site is not shown as flood affected on Councils Flooding Maps. No further flood information has been considered.



Appendix A: Waste Management Plan Template

Information on this form is collected by council for administrative and assessment purposes. It will be used by council staff and other government agencies for the purpose of assessing the application and will be made available for public access. To protect the applicant and the owner(s) privacy, personal details are recorded only on the Part B - Application Detail and Owner(s) Consent form which is not published. It is the applicant's responsibility to ensure other documents do not contain any personal or financial information.

1. PROJECT DETAILS (All Developments)

Address of development

16 Sydney Ave, Umina Beach

Existing buildings and other structures currently on the site

Residential Dwelling

Description of proposed development

Demolish existing and Construct 2 unit development

This development achieves the waste objectives set out in the DCP. The details on this form are the provisions and intentions for minimising waste relating to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as council, OEH or WorkCover NSW.

Prepared By
(in Block Letters)

KM Design Partners

Date

26/09/2020

Part 7: General Controls - Chapter 7.2 - Waste Management

2. DEMOLITION (All Types of Developments)**Address of development:** 16 Sydney Ave, Umina Beach

Refer to Section 7.2.13 of the DCP for objectives regarding demolition waste.

most favourable  least favourable

	Reuse	Recycling	Disposal	
Type of waste generated	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Specify method of on-site reuse, contractor and recycling outlet and /or waste depot to be used
Excavation material				
Timber (specify)		7m3		Licensed Contractor, Local Recycle Facility
Concrete		5m3		Licensed Contractor, Local Recycle Facility
Bricks/pavers		26m3		Licensed Contractor, Local Recycle Facility
Tiles		13m3		Licensed Contractor, Local Recycle Facility
Metal (specify)		2.5m3		Licensed Contractor, Local Recycle Facility
Glass				
Furniture				
Fixtures and fittings		.3m3		Licensed Contractor, Local Recycle Facility
Floor coverings		2m3		Licensed Contractor, Local Recycle Facility
Packaging (used pallets, pallet wrap)				
Garden organics		2m3		Licensed Contractor, Local Recycle Facility
Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste			4m3	Licensed Contractor, Local Waste Depot
Hazardous/special waste e.g. asbestos (specify)			6m3 Asbestos	Licensed Contractor, Local Waste Depot
Other (specify)				

Part 7: General Controls - Chapter 7.2 - Waste Management

3. CONSTRUCTION (All Types of Developments)

Address of development: _ 16 Sydney Ave, Umina Beach

Refer to Section 7.2.14 of the DCP for objectives regarding construction

most favourable



least favourable

	Reuse	Recycling	Disposal	
Type of waste generated	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Specify method of on site reuse, contractor and recycling outlet and/or waste depot to be used
Excavation material		3m3		Licensed Contractor, Local Recycle Facility
Timber (specify)		3m3		Licensed Contractor, Local Recycle Facility
Concrete		1m3		Licensed Contractor, Local Recycle Facility
Bricks		1.5m3		Licensed Contractor, Local Recycle Facility
Tiles		.5m3		Licensed Contractor, Local Recycle Facility
Metal (specify)		.2m3		Licensed Contractor, Local Recycle Facility
Glass				
Plasterboard (offcuts)			.2m3	Licensed Contractor, Local Waste Facility
Fixtures and fittings				
Floor coverings		.2m3		Licensed Contractor, Local Recycle Facility
Packaging (used pallets, pallet wrap)		.1m3		Licensed Contractor, Local Recycle Facility
Garden organics		1.5m3		Licensed Contractor, Local Recycle Facility
Containers (cans, plastic, glass)		.1m3		Licensed Contractor, Local Recycle Facility
Paper/cardboard		.1m3		Licensed Contractor, Local Recycle Facility
Residual waste			3m3	Licensed Contractor, Local Waste Facility
Hazardous/special waste (specify)				

Part 7: General Controls - Chapter 7.2 - Waste Management

4. ONGOING OPERATION (Residential, Multi Unit, Commercial, Mixed Use and Industrial)**Address of development:** 16 Sydney Ave, Umina Beach

Show the total volume of waste expected to be generated by the development and the associated waste storage requirements.

	Recyclables		Compostables	Residual waste*	Other
	Paper/ cardboard	Metals/ plastics/glass			
Amount generated (L per unit per day)					
Amount generated (L per development per week)					
Any reduction due to compacting equipment					
Frequency of collections (per week)	1 Per Fortnight		1 Per Fortnight	Weekly	
Number and size of storage bins required		1 x 240Ltr Bin Per Unit		1 x 120Ltre Bin Per Unit	
Floor area required for storage bins (m2)					
Floor area required for manoeuvrability (m2)					
Height required for manoeuvrability (m)					

* Current "non-recyclables" waste generation rates typically include food waste that might be further separated for composting.

Part 7: General Controls - Chapter 7.2 - Waste Management

5. CONSTRUCTION DESIGN (All Types of Developments)

Outline how measures for waste avoidance have been incorporated into the design, material purchasing and construction techniques of the development (refer to Section 7.2.14 of the DCP):

Materials

The construction material will be sourced from local suppliers to minimise any negative effect on the
environment

Lifecycle

The proposal has a life-cycle of approximately 30-40 years
Detail the appropriate needs for the ongoing use of waste facilities including the transfer of waste between the residents or tenancy units, the servicing of waste location and frequency of waste transfer and collection. If truck access is required then engineering details are required.
Each unit will be responsible for its own waste, collected by councils contractor

Part 7: General Controls - Chapter 7.2 - Waste Management

6. PLANS AND DRAWINGS (All Developments)

The following checklists are designed to help ensure WMP are accompanied by sufficient information to allow assessment of the application.

Drawings are to be submitted to scale, clearly indicating the location of and provisions for the storage and collection of waste and recyclables during:

- demolition
- construction
- ongoing operation.

Demolition

Refer to Section 7.2.13 of the chapter for specific objectives and measures.
Do the site plans detail/indicate?:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	

Construction

Refer to Section 7.2.15 – 7.2.19 of the chapter for specific objectives and measures.
Do the site plans detail indicate?:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	

Part 7: General Controls - Chapter 7.2 - Waste Management

Ongoing Operation

Refer to Section 7.2.15 – 7.2.19 of the chapter for specific objectives and measures.

Do the site plans detail indicate?:

	Tick Yes
Space	
Size and location(s) of waste storage areas	Yes
Recycling bins placed next to residual waste bins	Yes
Space provided for access to and the manoeuvring of bins/equipment	Yes
Any additional facilities	NA
Access	
Access route(s) to deposit waste in storage room/area	NA
Access route(s) to collect waste from storage room/area	NA
Bin carting grade not to exceed 10% and travel distance not greater than 100m in length	NA
Location of final collection point	NA
Clearance, geometric design and strength of internal access driveways and roads	NA
Direction of traffic flow for internal access driveways and roads	NA
Amenity	
Aesthetic design of waste storage areas, including being compatible with the main building/s and adequately screened and visually unobtrusive from the street	NA
Signage – type and location	NA
Construction details of storage rooms/areas (including floor, walls, doors, ceiling design, sewer connection, lighting, ventilation, security, wash down provisions, cross & longitudinal section showing clear internal dimensions between engaged piers and other obstructions, etc)	NA

Item No: 3.2
Title: DA/62203/2021 - 37 Paul Street, Umina Beach - Multi Dwelling Housing 3 units & Demolition of existing dwelling
Department: Environment and Planning

Central Coast
Local Planning Panel

21 July 2022 Local Planning Panel Meeting

Reference: DA/62203/2021 - D15148473
Author: Karen Hanratty, Principal Development Planner, Development Assessment South
Approver: Andrew Roach, Unit Manager, Development Assessment

Summary

An application has been received for *Multi Dwelling Housing 3 units & Demolition of existing dwelling*. The application has been examined having regard to the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report. The application is recommended for approval.

The application is required to be referred to the Local Planning Panel as a result of submissions. 16 submissions have been received.

Applicant	G Smith
Owner	37 Paul Pty Ltd
Application No	DA/62203/2021
Description of Land	Lot 22 DP 26543, 37 Paul Street, Umina Beach
Proposed Development	Multi Dwelling Housing 3 units & Demolition of existing dwelling
Site Area	808.3 sqm
Zoning	R1 General Residential
Existing Use	Dwelling House
Employment Generation	No
Estimated Value	\$800,000

Recommendation

- 1 That the Local Planning Panel grant consent to DA/62203/2021 - Lot 22 DP 26543, 37 Paul Street, Umina Beach - Multi Dwelling Housing 3 units & Demolition of existing dwelling) subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***
- 2 That Council advise those who made written submissions of the Panel's decision.***

Key Issues

- Compliance with Gosford Development Control Plan 2013 (GDCP 2013) Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings
- Matters raised in public submissions

Precis:

Proposed Development	Multi Dwelling Housing 3 units & Demolition of existing dwelling
Permissibility and Zoning	The subject site is zoned R1 General Residential under the provisions of <i>Gosford Local Environmental Plan 2014</i> . The proposed development is defined as multi dwelling housing which is permissible in the zone with consent of Council.
Relevant Legislation	<p>The following planning policies and control documents are relevant to the development and were considered as part of the assessment.</p> <ul style="list-style-type: none"> • <i>Environment Planning and Assessment Act 1979 - section 4.15 (EP&A Act)</i> • <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>Gosford Local Environmental Plan 2014 (GLEP 2014)</i> • <i>Central Coast Local Environmental Plan 2022 (CCLEP 2022)</i> • <i>Gosford Development Control Plan 2013 (GDCP 2013)</i>
Current Use	Dwelling House
Integrated Development	No
Submissions	Sixteen (16) – second notification period

Variations to Policies – Gosford Development Control Plan 2013

Clause	3.3.3.1 - Height
Standard	Min 2.7m ceiling heights for 2 storey buildings
Departure basis	2.55m ceiling height at first floor only - 0.15m or 5.6% variation

Clause	3.3.3.2 - Setbacks
Standard	Deep soil side setbacks 2m – reduced to 1m for driveway
Departure basis	<ul style="list-style-type: none"> • Eastern side deep soil Units 1 & 3, 1.16m - 0.84m or 42% variation • Western side deep soil Unit 3 1.04m - 0.96m or 48% variation for a length of 4.6m • 0.2m verge to driveway - 0.8m or 80% variation to driveway setback

Clause	3.3.3.2 - Setbacks
Standard	Setbacks to Exterior Walls - Side boundaries average 4m, min 3.5m
Departure basis	<ul style="list-style-type: none"> • Eastern side setback <ul style="list-style-type: none"> - Ground Floor Units 1 & 3 1.16m – 3.8m or 67% variation - Upper Floor 2.86m–3.8m - 18% variation • Western side setback <ul style="list-style-type: none"> - Ground floor Unit 3, 1.04m - 70% variation for a length of 4.6m

Clause	3.3.3.2 - Setbacks
Standard	Rear setback – 6m
Departure basis	2.66m-3.5m proposed - 2.5m-3.34m or 42-56% variation

Clause	3.3.3.4.2 Articulation - Maximum dimensions of buildings
Standard	Buildings between 25m-35m must be indented with 6 X 6 courtyard, each courtyard planted with 1 large canopy tree
Departure basis	<ul style="list-style-type: none"> • Building depth 44.4m – 26.8% variation • Unit 2 courtyard <6 X 6m, no canopy tree

Clause	3.3.3.5 Residential Amenity – Site Planning
Standard	For two storey buildings: provide at least 9m between adjacent dwellings (If screening is provided these distances can be lessened)
Departure basis	<p>A 9m separation distance is not achieved to adjacent dwellings:</p> <ul style="list-style-type: none"> • Ground level - 2.3m from Units 1 & 3, approx. 4m from Unit 2 • Upper level - Units 1 & 2 to the east ≥4.2m and to the west 6m • Dwellings to the north – Unit 3 single storey - 4m (32 Harold Street) 8m (34 Harold Street)

Clause	3.3.3.5 Residential Amenity – Private open space
Standard	Minimum dimension is 3.5m
Departure basis	Unit 2 provides 50.06sqm of open space and one area measuring 3.8m x 5.6m within the alfresco area although the courtyard area width is variable 1.9m-2.6m – 26% - 46% variation

The Site

The site is regular in shape and is described as Lot 22 DP 26543, 37 Paul Street, Umina Beach.

The site has a width of 15.24m and depth of 53.035m and an area of 808.3 sqm. The site is located approximately 70m to the east of the intersection of Paul Street and Ocean Beach Road, refer Figure 1.

Located on the northern side of Paul Street the site has a slight grade from the front to the rear boundary and contains a single storey dwelling house and ancillary structures, refer Figures 2 & 3.

The site is not identified as bushfire prone land, is affected by flooding or flood planning controls and contains Class 4 Acid Sulfate Soils.

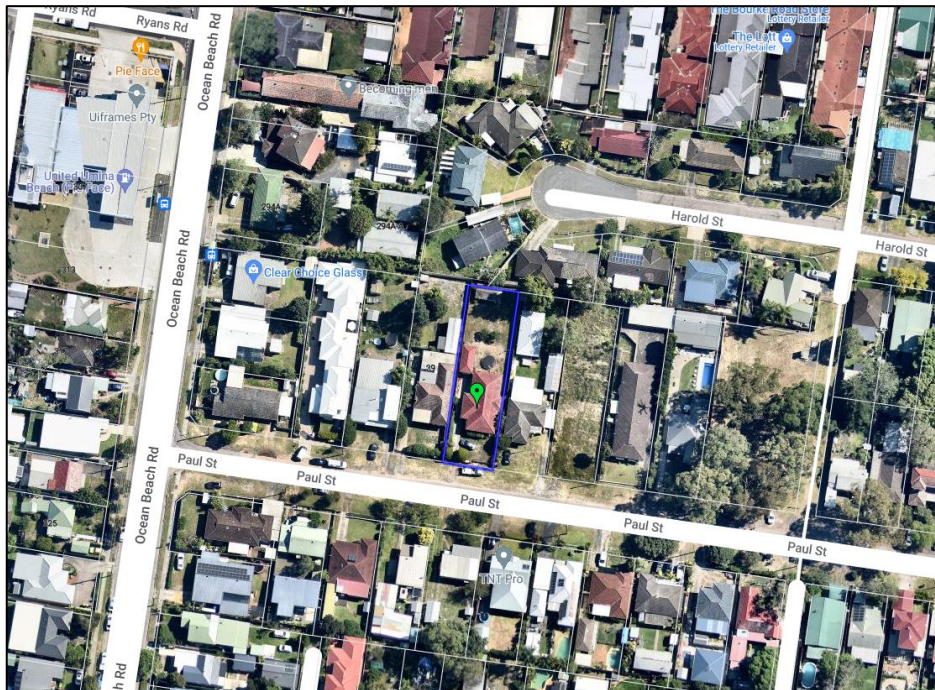


Figure 1 – Site and Locality Plan (nearmap 10/2/2022)



Figure 2 – Existing dwelling at 37 Paul Street Umina Beach



Figure 3 – Rear of existing dwelling at 37 Paul Street Umina Beach

Surrounding Development

As indicated by Figure 1 above, the site is surrounded by single storey detached dwelling houses and shares a rear boundary with No. 32 & No. 34 Harold Street located to the north.

The adjoining property to the west, No. 39 Paul Street contains two single storey dwellings, approval being granted under DA/14600/1991 for detached dual occupancy 35sqm in area at the rear of the dwelling house.

The adjoining property to the east, No. 35 Paul Street contains a single storey dwelling house and as stated in submissions, a secondary dwelling at the rear of the dwelling house, although the rear building was granted approval for a games room and workroom addition under BA/26953/1984. Both buildings on the site have floor levels approximately 0.5m above existing ground level.

The context of the area is generally low-density residential developments of single storey dwelling houses interspersed with multi dwelling housing developments where the size of the lot allows for increased density:

- A one and two storey multi dwelling housing development comprising 3 dwellings occurs at No. 43 Paul Street, located further to the west of the subject site. This development was approved under DA/45174/2014.
- Approval was granted on 15 April 2021 under DA/59634/2020 for a 2-storey dual occupancy at No. 33 Paul Street and the demolition of structures has occurred on this site.
- No. 31 Paul Street contains a single storey residential development comprising 3 dwellings (the strata plan registered in 1989) with small courtyards for each dwelling located on the western boundary of the property and driveway along the eastern boundary to parking at the rear.

The Proposed Development

The proposal comprises:

- Demolition of existing dwelling house and ancillary structures
- Erection of 1 x 3-bedroom single storey dwelling and 2 x 3-bedroom 2-storey dwellings
- 5 car parking spaces within garages
- Vehicle access from Paul Street via driveway along the western boundary
- Ancillary site works including front courtyard fencing, landscaping, stormwater drainage and on-site detention

Figure 4 below provides a perspective of the proposal from the site frontage. The proposed site plan is shown in Figure 5, east and west building elevations are shown in Figure 6.



Figure 4 – Perspective of proposed development

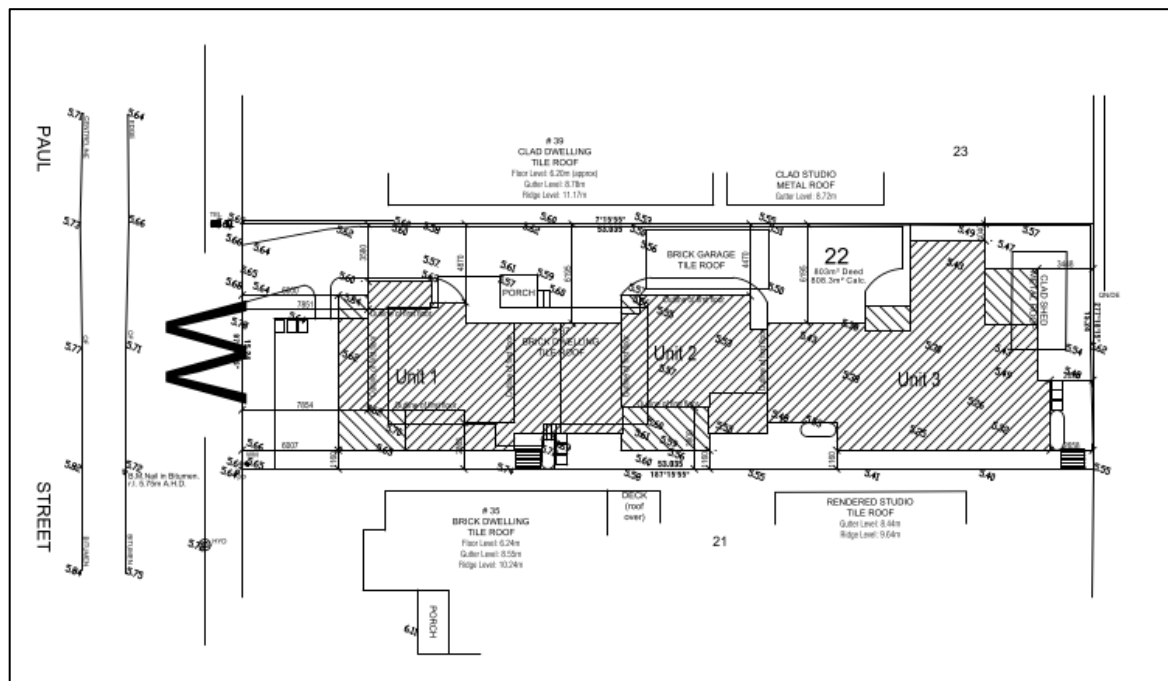


Figure 5 – Proposed site plan

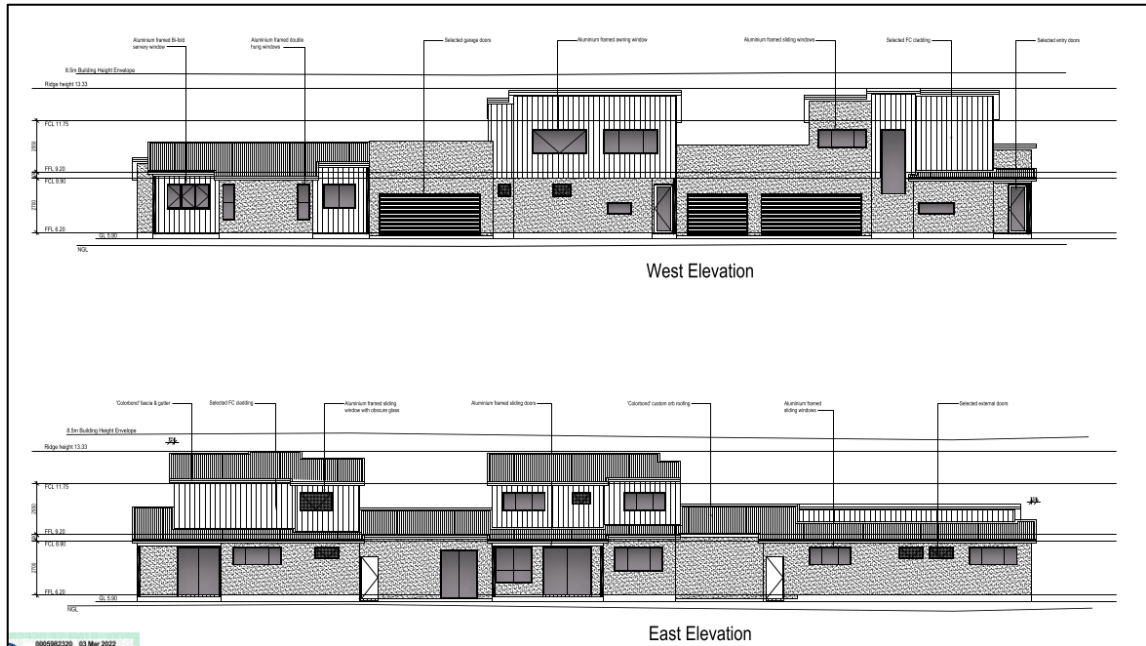


Figure 6 – Proposed east and west elevations

Application background

The application was lodged on 28 June 2021 as a 2-storey, 4-unit multi dwelling housing development comprising 1 x 2-bedroom dwelling, 3 x 3-bedroom dwellings and 6 car parking spaces within garages. The unit layout comprised ground level living/dining and kitchen areas with large sitting area and bedrooms on the upper floor.

The site plan and elevations of the original scheme are shown in Figures 7 & 8 respectively.

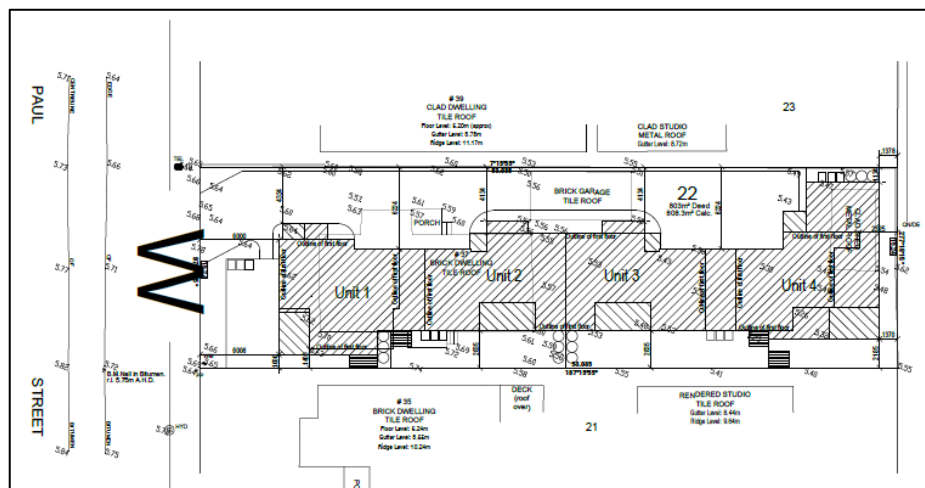


Figure 7 – Proposed site plan of original scheme

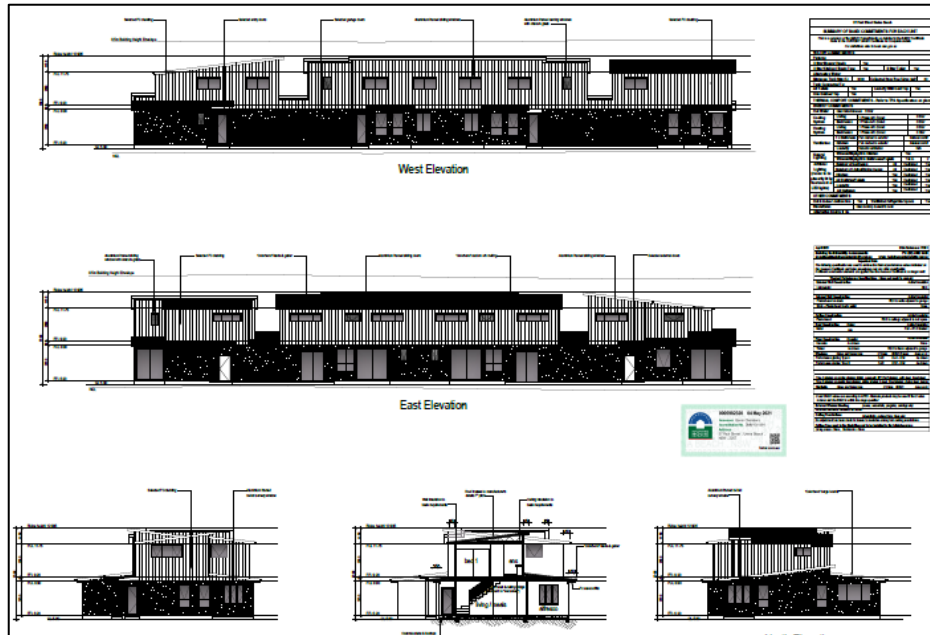


Figure 8 – Proposed elevations of original scheme

An on-line community meeting was held on 19 August 2021 at the request of residents of Paul Street adjoining the site to facilitate questions regarding the proposed development. The meeting was attended by 9 residents. To assist residents the notification period was extended, and 13 submissions were received to the proposed development.

On 5 October 2021 the applicant was asked to address issues in relation to building height, floor space ratio, setbacks, private open space, landscaping, and waste management.

Following further discussions with the applicant, amended engineering plans were received on 21 February 2022 and amended architectural plans were received on 1 March 2022. The amended plans and information included the following:

- Redesign of the proposal to a 3-unit residential development comprising 2 x 2-storey dwellings and 1 x single story dwelling at the rear of the site
- Increased rear setback
- All dwellings provided with minimum of 50sqm private open space
- Reduction in car parking spaces from 6 spaces to 5 spaces
- Reduction of gross floor area (GFA) from 402sqm to 339sqm (0.497:1 to 0.42:1 FSR)
- Updated Waste Management Plan
- Revised engineering plans and vehicle swept paths

Given the significant change to the design of the proposed development the plans were re-notified. Notwithstanding the reduced scheme 16 submissions were received.

ASSESSMENT

Having regard for the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The application is supported by a BASIX certificate which confirms the proposal will meet the NSW government's requirements for sustainability, if built in accordance with the commitments in the certificate.

The proposal is considered to be consistent with the requirements of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 commenced on 1 March 2022 incorporates and repeals the provisions of 3 SEPPs including *State Environmental Planning Policy 55 – Remediation of Land*.

It is noted no policy changes have been made and the SEPP consolidation does not change the legal effect of the existing SEPPs, with section 30A of the *Interpretation Act 1987* applying to the transferred provisions.

The relevant provisions of the SEPP are addressed as follows:

Chapter 4 Remediation of Land

Clause 4.6 requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The current use of the site is for domestic residential purposes, and there are no known previous uses that would lead to the site being contaminated or unsuitable for the proposed use.

Gosford Local Environmental Plan 2014 (GLEP 2014) - Zoning and Permissibility

The subject site is zoned R1 General Residential under the provisions of GLEP 2014.

Development for the purposes of multi-dwelling housing is permissible within the zone with consent of Council.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

The R1 General Residential zone is based on the following objectives:

- *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 that development is compatible with the desired future character of the zone.*
- *To promote best practice in the design of multi dwelling housing and other similar types of 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 dwelling housing or other similar types of development.*

Paul Street is zoned R1 General Residential which permits medium density developments such as dual occupancies and multi dwelling housing and applies to residential flat buildings and attached dwellings.

Nos. 29-43 Paul Street located towards Ocean Beach Road on the northern side of the street have lot sizes of 803 sqm in accordance with the deposited plan DP 26543 (or under current survey as is the case for No. 37 Paul Street, being 808.3 sqm) which is of a satisfactory size to cater for multi dwelling housing developments. Other than No. 43 Paul Street these types of development have not occurred in the street to date, although a dual occupancy development has been approved on No. 33 Paul Street, works have commenced with the demolition of the dwelling house on this property.

The properties on the southern side of the street, Nos. 26-44 Paul Street, and opposite the subject site, have lot sizes of 537.5 sqm being below the development standard stipulated in clause 4.1B of the GLEP 2014 which requires a minimum lot size of 550sqm for an attached dual occupancy and 750sqm for multi dwelling housing, residential flat buildings containing at least 3 dwellings and attached dwellings.

Similarly, properties to the east and towards Trafalgar Avenue on both the northern and southern side of the street have a lot size of 450sqm in accordance with DP 8870.

Other than the properties of Nos. 29-43 Paul Street, lot consolidation would be required to permit medium density development and properties in Paul Street are substantially traditional garden-suburb developments of cottages and bungalows as described in the character statement for the area. The varying lot sizes in Paul Street is evident in the zoning map, Figure 9 below.

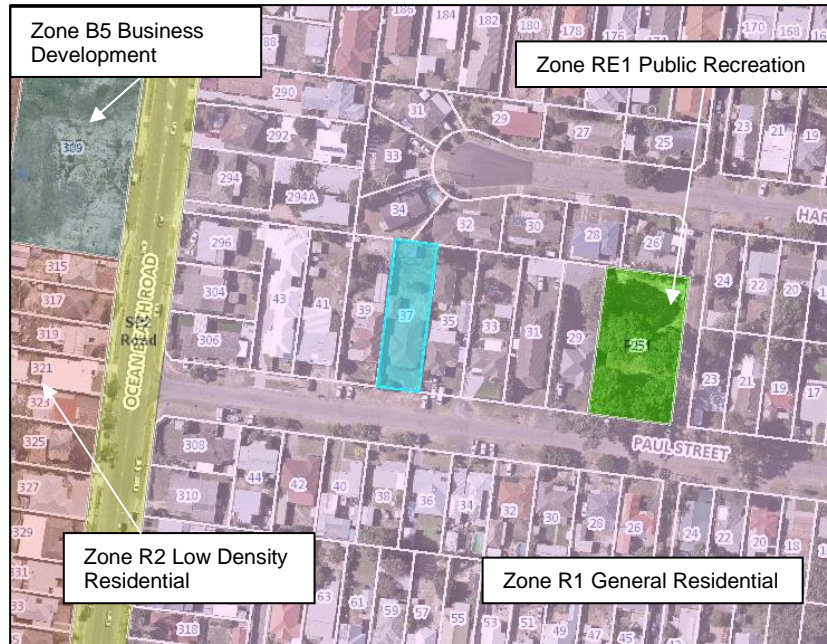


Figure 9 – Zoning Map

It should be noted that under the *Central Coast Local Environmental Plan 2022* (CCLEP 2022) as discussed further in the report, the minimum lot size development standard currently in GLEP 2014 will only apply to dual occupancy developments. Specific minimum lot sizes for multi-dwelling housing, residential flat buildings and attached dwellings are not set under the CCLEP 2022 and this form of housing will be managed through other relevant provisions of the CCDCP 2022 applying to these forms of development e.g., building setback, floor space ratio, open space requirements etc. The intent of the removal of development standards for these land-uses, will allow greater flexibility to encourage higher density development within the R1 zone. It will also reduce expectations of unfeasible development where greater lot sizes would be required.

Therefore, the properties Nos. 29-43 Paul Street have development potential for medium density development with the remaining properties in Paul Street unlikely to be developed unless lots are consolidated. Taking into consideration the varying lots sizes adjoining and adjacent to the subject site and the generally low-density residential nature of the surrounding area, the proposed development was requested to be amended from 4 dwellings (on lodgement) to 3 dwellings as now proposed to address the following zone objectives more appropriately:

- *To ensure that development is compatible with the desired future character of the zone.*
- *To promote best practice in the design of multi dwelling housing and other similar types of development.*

In conclusion, the proposal assists in meeting the housing needs for the community and will increase housing choice in the area. The proposal appropriately addresses its impacts as

discussed throughout the report and represents an acceptable design, responds to the site and generally maintains the residential character and amenity of the surrounding area.

The proposal is also consistent with the principles of Ecologically Sustainable Development as specified within the Local Government Act 1993.

Gosford Local Environmental Plan 2014 - 4.1B Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings

Clause 4.1B(2) of GLEP 2014 provides that the minimum lot size development standard multi dwelling housing is 750sqm. The subject site has an area of 808.3sqm and complies with the development standard.

Gosford Local Environmental Plan 2014 - 4.3 Height of Buildings

Clause 4.3(2) of GLEP 2014 provides that the height of a building on any land will not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum height shown on the relevant map is 8.5m. The GLEP 2014 defines this as the height above existing ground level.

The proposed development has a maximum height of 7.717m and complies with the development standard.

Gosford Local Environmental Plan 2014 – 4.4 Floor Space Ratio

Clause 4.4(2) Floor Space Ratio (FSR) of GLEP 2014 provides the maximum floor space ratio for a building on any land. The site is identified on the GLEP 2014 FSR map as being 0.7:1.

Clause 4.4(2A)(c) includes exceptions to the mapped FSR for multi dwelling housing that has on-site car parking that is not located in the basement:

(2A) Despite subclause (2), the maximum floor space ratio for a building on land in Zone R1 General Residential for which the maximum floor space ratio on the Floor Space Ratio Map is 0.7:1 or 0.85:1 is to be—

- (a) if the building is used for the purpose of an attached dwelling, semi-detached dwelling or dual occupancy—0.5:1 or 0.6:1, respectively, or*
- (b) if the building is on a site area of less than 1,000 square metres and is used for the purpose of a residential flat building or multi dwelling housing with all on-site car parking located in the basement—0.6:1 or 0.7:1, respectively, or*
- (c) if the building is used for the purpose of a residential flat building or **multi dwelling housing and includes on-site car parking that is not located in the basement— 0.5:1** or 0.6:1, respectively, or*
- (d) if the building is used for any other purpose (excluding a dwelling house)— 0.6:1 or 0.75:1, respectively.*

In this regard, the FSR applicable is 0.5:1. The proposed FSR of 0.42:1 complies with the development standard.

Gosford Local Environmental Plan 2014 – 7.1 Acid Sulfate Soils

This land has been identified as being affected by the Acid Sulfate Soils Map and the matters contained in clause 7.1 of Gosford Local Environmental Plan 2014 have been considered. The site contains Class 4 Acid Sulfate Soils which are likely to occur where:

- Works more than 2 metres below the natural ground surface.
- Works by which the water table is likely to be lowered more than 2 metres below the natural ground surface

Minimal excavation is proposed for slab on ground and the installation of services and stormwater infrastructure. In this instance, the proposed works are not considered to impact on Acid Sulfate Soils on the site or adjoining properties.

However, in the unlikely event acid sulfate soils are found during works a condition is included to cease all excavation works if acid sulfate soils are identified until such time as details of mitigation and treatment measures are submitted to, and approved by, the Principal Certifier, ***refer Condition 4.11***.

Gosford Local Environmental Plan 2014 – 7.2 Flood Planning

The site is identified as being affected by Woy Woy Peninsula Flood Study and subject to the imposition of a minimum floor level.

Clause 7.2 was repealed by the *Standard Instrument (Local Environmental Plans) Amendment (Flood Planning) Order 2021* and replaced with new clauses 5.21 and 5.22.

The *Standard Instrument (Local Environmental Plans) Amendment (Flood Planning) Order 2021* does not include specific savings and transitional provisions to exempt development applications currently under assessment, but not yet determined, from the application of the new flood planning amendments.

However, clause 8 of the *Standard Instrument (Local Environmental Plans) Order 2006* provides that changes made by an amending order do not apply to or in respect of any development application that was made, but not determined, before the start of the amending order.

As such, the new flood planning amendments introduced by the Flood Planning Standard Instrument Order do not apply to any development application that has been made, but not finally determined, before the commencement of the Flood Planning Standard Instrument Order (that is, 14 July 2021).

Noting the above, Clause 7.2 no longer applies, and neither do Clauses 5.21 and 5.22.

However, it is noted that the development, prior to the repeal of Clause 7.2, was considered satisfactory.

Council's Senior Development Engineer has reviewed the plans and noted the site is affected by flooding and flood planning controls. In accordance with the Woy Woy Peninsula Flood Study, the 1% Annual Exceedance Probability (AEP) flood level is RL 5.69m AHD and the flood planning level is RL 6.19m AHD. The proposed floor levels for the units are RL 6.2m AHD which comply with the flood planning level. The proposed garage floor levels are at RL 6.03m AHD which are above the 1%AEP flood level. Building materials below the flood planning level will need to be of a type that can withstand the effects of immersion in floodwater which comply with these requirements.

With the absence of longitudinal street drainage, it is recommended that a kerb inlet pit is constructed at the lower (western) end of the proposed kerb & gutter with an absorption trench in the footway to infiltrate stormwater from the road pavement / K&G into the ground. This would also prevent flows from the kerb & gutter discharging into the neighbouring site (No. 39 Paul Street).

The development provides on-site detention of stormwater/nutrient control, via rainwater tanks and infiltration trench in the front landscaping, to limit post development peak flows from the site to the predevelopment peak flows for storm events up to and including the 1% AEP storm event. Overflow outflows of stormwater from the infiltration trenches are proposed to connect to the proposed kerb line in Paul Street.

The site is not in a designated flow path, the proposal will not affect the safe occupation of the land, will not increase the risk of flood and will not increase in the potential of flooding detrimentally affecting other development of properties. It is considered that the development is compatible with the flood hazard on the site.

Central Coast Local Environmental Plan 2022 (CCLEP 2022) – To come into effect 1 August 2022

The *Central Coast Local Environmental Plan 2022* (CCLEP 2022) has been finalised and notified on the NSW Legislation website on 24 June 2022. It will come into effect 1 August 2022 and the consolidated *Central Coast Development Control Plan 2022* (CCDCP 2022) will also come into force on the same date and will replace the planning instruments relating to the former Local Government Areas.

The CCLEP 2022 is a matter for consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*. The CCLEP 2022 is considered imminent and certain and can be afforded significant weight.

3.2 DA/62203/2021 - 37 Paul Street, Umina Beach - Multi Dwelling Housing 3 units & Demolition of existing dwelling (contd)

The CCLEP 2022 includes savings provisions that provide for an application lodged before the making of the Plan, that the application must be determined as if the Plan had not been made.

Under the CCLEP 2022 the subject site retains the R1 General Residential zoning, building height and FSR controls. Multi Dwelling Housing is permissible with development consent in the zone. The site retains the maximum building height of 8.5m and the proposed floor space ratio is mapped as 0.5:1 (Area 1) and increases to 0.7:1 depending on site size and the location of car parking in a basement; basement car parking is not proposed.

Under the CCLEP 2022, GLEP 2014 Clause 4.1B Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings does not apply to multi dwelling housing developments.

In this instance, the proposed development exceeds the minimum lot size requirement for multi dwelling housing under GLEP 2014, however the reasoning stated in the Planning Proposal exhibited in support of the then draft CCLEP included the following comments in relation to this matter:

This issue relates to GLEP 2014 Clause 4.1B. This clause applies to land zoned R1 General Residential.

The clause specifies the minimum lot sizes for Attached dwellings, Dual occupancies, Multi dwelling housing and Residential flat buildings. The objective of the clause is to achieve planned residential density in the R1 zone.

This clause is to be amended and retained for dual occupancy. All other land uses will be removed from this clause.

Specific minimum lot sizes for multi-dwelling housing, residential flat buildings and attached dwellings are not set under the Central Coast Development Control Plan (CCDCP); however, this form of housing can be managed through other provisions of the DCP chapter applying to these forms of development e.g., building setback, floor space ratio, open space requirements etc.

The removal of this clause, for these land-uses, will allow greater flexibility to encourage higher density development within the R1 zone. It will also reduce expectations of unfeasible development where greater lot sizes would be required.

While the Central Coast Development Control Plan (CCDCP 2022) is not a statutory matter for consideration, its key controls, as relevant to this site and development are summarised below, with comment on how the current proposal measures up to these controls:

- Maximum FSR of 0.5:1 (draft CCLEP) - FSR of 0.42:1 proposed

- Maximum height of 8.5m / 2 storeys (draft CCLEP and CCDCP) – 7.717m / 2 storeys proposed
- Private open space minimum area of 45sqm and a minimum dimension of 4.5m is required - all 3 dwellings have an area over 50sqm proposed, however not all areas have a dimension of 4.5m, however well sized practical areas are achieved
- Front setback, average of neighbours or 4.5m is required – setback proposed – 6m
- Side setbacks of 0.9m up to a height of 4.5m, for part of building >4.5m, 0.9m plus 25% of the height of the building above 4.5m is required – single storey components up to 4.5m a setback of 1m is proposed, above 4.5m a minimum setback of 2.865m is proposed (required 1.7m)
- Rear setback of 4.5m required – rear setback of 2.658m–3.448m proposed – while some variation is proposed, this is in the context of greater side setbacks
- Minimum 25% of site area at ground level shall be 'soft' landscaping, excluding all hardstand areas, 50% of this (so 12.5% of the site area) is to be deep soil – this would require 202sqm of soft landscaping which includes 101sqm of deep soil – approximately 216.8sqm (26.8% of site area) of soft landscaping is provided and this is all deep soil as no basements are proposed.

While there are some variations to the private open space and rear setback controls, given the density and height are well below their maximum, and side setbacks are greater than the minimum requirements, on balance the development is consistent with both the CCLEP 2022 and CCDCP 2022.

Gosford Development Control Plan 2013

Gosford Development Control Plan 2013 (GDCP 2013) provides objectives, design criteria and design guidance on how development proposals can achieve good design and planning practice.

GDCP 2013 - Chapter 2.1 Character

The site is located within the character area: Umina 4: Sandplain Mixed Density of Gosford Development Control Plan 2013 (GDCP 2013) Chapter 2.1 Character.

The existing character of the area is substantially traditional garden-suburb developments of cottages and bungalows which is slowing being interspersed by new single dwellings, dual occupancy and multi-unit housing developments. Multi-unit developments are generally associated with piecemeal widening of streets, resulting in intermittent sections of kerbing and footpaths.

Adjacent to the existing cottages and bungalows isolated multi-unit developments of dual occupancies, villas and townhouses are emerging. New developments predominantly incorporate 'gun barrel' building forms where dwellings face side driveways and are set close

to neighbouring buildings, flanked by narrow private courtyards and extensive paved driveways. Landscaping predominantly occurs along street frontages.

The character statement provides for the desired character as follows:

These areas should remain leafy mixed-density residential neighbourhoods that retain some of the original mid-Twentieth Century bungalows which remain distinctive elements of the Woy Woy Peninsula's identity, and future developments achieve significantly improved standards of amenity and urban design quality by reflecting features of those traditional bungalows, as well as providing a variety of low-rise dwellings that include apartments, town houses and villas.

Surround each development with leafy gardens to conserve existing visually-prominent trees, particularly along back fences and street frontages or verges, as well as to provide space for shady trees and shrubs planted as backdrops to new buildings. Maintain the informal qualities of existing wide grassy street verges and conserve existing shady street trees. Complement the surviving canopy by planting a combination of trees and shrubs that are mostly-indigenous along all property boundaries, and use hedges or fences that are low or see-through rather than tall and opaque in order to maintain the informal character of existing street frontages.

Ensure that new developments complement the siting, form and scale of surviving traditional bungalows upon nearby properties, as well as maintaining reasonable levels of sunlight, privacy and amenity for neighbouring dwellings plus their private open spaces. Maintain street setbacks that are similar to surrounding properties, and minimise the extent of hard-paved surfaces. Avoid the appearance of long or continuous buildings facing any front or side boundary by stepping the shape of visible facades, by providing at least one wide landscaped setback that varies in width, and lining driveways with avenues of trees and shrubs.

Reflect the modest scale of traditional mid-Twentieth Century bungalows, for example by dividing new developments into individual dwelling pavilions with a varied form or orientation, separated by landscaped courtyards and verandahs or parking structures. Any facades that are taller or longer than neighbouring buildings should be disguised by a combination of extra setbacks, stepped forms, and balconies or verandahs. Roofs should be gently-pitched to minimise the height of ridges, and flanked by wide eaves that disguise the scale and bulk of exterior walls. Parking is preferable in open carports or part-basements, rather than in wide garages that would accentuate building bulk or dominate visible facades.

In order to complement the scale and design character of traditional bungalows, a "light-weight appearance" is preferable for all visible facades, incorporating walls of windows that are shaded by framed balconies or verandahs plus exterior sunscreens, painted finishes and some sheet or board cladding rather than extensive plain masonry. Where facades face a street, a laneway or a driveway, provide a traditional "street address" with visible

verandahs, living rooms and front doors.

Screen driveways, terraces, courtyards and balconies to protect the privacy and amenity of neighbouring dwellings.

Comment

The subject land does not contain any remnant tree canopy or natural biodiversity values requiring retention although is subject to flood related development controls which require a minimum floor height. The site has a slight grade from the front boundary (Paul Street) to the rear boundary and will require filling to site boundaries for drainage of stormwater to the street. The land will be raised to a finished ground level of 5.90m AHD and retaining walls are proposed on the site boundary as indicated on the Stormwater Plans by Halcrow & Associates. The fill varying in depth from 0.2m towards the front of the site to approximately 0.55m at the rear of the site and will result in the site having higher ground level than adjoining sites.

Notwithstanding this, the building is below the permitted maximum building height and FSR controls. The proposed building will not intrude on the scenic landscape of the locality and will provide a more planned substantial level of landscaping than currently exists on the site.

The amended application however is now considered to generally comply with the objectives of the GDCP 2013. The reduction of dwellings from 4 to 3 allows a larger area of deep soil and landscaping at the rear of the site to disguise the scale of the building and provide screening to and from adjoining sites.

Courtyards are located to the eastern side and rear boundaries that provide sufficient deep soil planting to incorporate small and medium shrubs, and canopy trees (Units 1 & 3) capable of achieving mature height of 5-6m are proposed for the courtyards of Units 1 & 3.

The built form divides up the units to break up bulk and provide visual relief. The proposal provides articulation of facades with gently pitched roofs and uses a variety of materials that result in a building of "light-weight appearance". The upper storey setbacks and the single storey building at the rear also disguise the scale and considers privacy and amenity impacts to adjoining neighbours from site filling. The proposal has a similar scale and bulk to the multi dwelling housing development at No. 43 Paul Street.

The proposal contributes to a mix of densities in the immediate area, has appropriate transition of built form and building separation when viewed from the street and neighbouring lots, does not result in detrimental visual or amenity impacts to the streetscape and surrounding residential development. The proposal is compatible with the existing and likely future character of the of the area.

GDCP 2013 - Chapter 3.3 Multi Dwelling Housing and Residential Flat Buildings

The proposal has been assessed in accordance with the relevant provisions of GDCP 2013 Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings as detailed below.

Development Control	Required	Proposed	Complies	Compliance with Objective
3.3.2.1 Character	New developments are consistent with the desired character for the surrounding area	Complies Refer comment under 2.1 Character	Yes	Yes
3.3.3.1 Height	<ul style="list-style-type: none"> Max building height GLEP 2014 8.5m Max 2 storeys Max height exterior wall 7.5m Max floor height lowest occupied storey 1m Min 2.7m ceiling heights for 2 storey buildings 	<ul style="list-style-type: none"> Max building height GLEP 2014 7.7m Max 2 storeys Max height exterior wall 7.3m Max floor height lowest occupied storey 0.75m 2.7m Ground Floor / 2.55m First Floor 	Yes Yes Yes Yes Yes No	Yes – see comments below

Development Control	Required	Proposed	Complies	Compliance with Objective
3.3.3.2 Setbacks	3.3.3.2.2a Setbacks - Deep Soil: <ul style="list-style-type: none"> Side boundary min width 2m <ul style="list-style-type: none"> Front & Rear boundary min width 6m 	<ul style="list-style-type: none"> East side deep soil Units 1 & 3 - 1.16m Unit 2 - 2m West side deep soil Unit 3 1.04m for a length of 4.6m Front 6m Rear 2.66m-3.5m 	No No Yes No	Yes – see comments below
	3.3.3.2.2b - Setbacks to exterior walls up to 2-storeys high: <ul style="list-style-type: none"> Side boundary average 4m, min 3.5m 	<ul style="list-style-type: none"> East side setback <ul style="list-style-type: none"> Ground Floor 1.16m–3.8m Upper Floor 2.86m–3.8m West side setback <ul style="list-style-type: none"> Ground floor Unit 3 1.04m for a length of 4.6m 	No No Yes	Yes – see comments below

	<ul style="list-style-type: none"> • Front Setback 6m • Rear Setback 6m 	<ul style="list-style-type: none"> - Units 1 & 2 generally min $\geq 3.58\text{m}$ • Front Setback 6m • Rear Setback 2.66m – 3.45m 	Yes No	
	3.3.3.2.4 Allowable Encroachments - driveways and turning areas – 1m deep soil verge	<ul style="list-style-type: none"> • West boundary along driveway 0.2m 	No	Yes – see comments below
3.3.3.3.2 Car Parking – Technical Requirements	<ul style="list-style-type: none"> • Resident 1.5 spaces/unit = $1.5 \times 3 = 5$ spaces • Visitor 0.2 spaces/unit = $0.2 \times 3 = 1$ however not required under 4 units with on street parking available 	<ul style="list-style-type: none"> • Resident spaces 5 • Visitor space allowable to be provided on street 	Yes Yes	Yes
3.3.3.3.4 Car Parking – Scenic Quality and Character	<ul style="list-style-type: none"> • Above ground parking spaces not facing street • Not in front or rear setback • Not create continuous row of enclosed garages 	<ul style="list-style-type: none"> • Parking provided in enclosed garages not facing street, not as a continuous row • Not in front or rear setback 	Yes	Yes

Development Control	Required	Proposed	Complies	Compliance with Objective
3.3.3.3.5 Car Parking - Driveway Design:	<ul style="list-style-type: none"> Less than 25 spaces/30 movements /hour – driveway AS 2890.1 allows single lane driveways that are 3m wide provided that passing bays at least 5.5m wide are located at 30m intervals, Driveways and ramps integrated with landscaping 	<ul style="list-style-type: none"> Length of driveway 41m – min width of 3.8m Integrates with landscaping – provides required sightlines 	Yes	Yes – further comments are provided under Chapter 7.1 Car Parking of GDCP 2013
3.3.3.4.2 Articulation - Maximum dimensions of buildings:	<ul style="list-style-type: none"> Max width and depth of building - 25m Buildings between 25m-35m must be indented with 6m X 6m courtyard, including 1 canopy tree and reduced wall heights surrounding Each courtyard planted with 1 large canopy tree Surrounding each courtyard height of exterior walls reduced 	<ul style="list-style-type: none"> Width 13m Unit 3, 10m Unit 1, 8.5m Unit 2 Building depth 44.4m Unit 2 courtyard <6m X 6m, no canopy tree Units 1 & 3 canopy tree(s) in courtyards Surrounding courtyards exterior walls are reduced 	No	Yes – see comments below
3.3.3.4.4 Articulation of building forms and facades	<ul style="list-style-type: none"> The unarticulated length of any wall should not exceed 8m. 	<ul style="list-style-type: none"> Satisfactory articulation is achieved in accordance with the controls. All elevations are articulated through stepping or indenting of the alignment, a mix of materials and finishes, and glazing. 	Yes	Yes

Development Control	Required	Proposed	Complies	Compliance with Objective
3.3.3.5.2 Solar Access	<p>Solar access requirements for new and existing dwellings:</p> <ul style="list-style-type: none"> • Min 3 hrs/day sunlight in living, dining, family rooms and 50% of principal open space areas. • Received by 70% of new dwellings. • Minimum 3 hours/day sunlight is retained to existing neighbours. 	<p>Solar access to the development:</p> <ul style="list-style-type: none"> • All dwellings achieve 3 hours solar access. <p>Minimum 3 hours/day sunlight is retained to existing neighbours:</p> <ul style="list-style-type: none"> • Shadow diagrams have been submitted with the application which shows shadowing in mid-winter. • The proposal demonstrates that greater than 3 hours/day sunlight is retained to adjoining sites. The proposed development will not have any adverse overshadowing effects on adjoining residential development. 	<p>Yes</p> <p>Yes</p>	Yes
3.3.3.5.3 Site Planning	<ul style="list-style-type: none"> • Site planning to provide for reasonable privacy for existing & proposed dwellings. • For 2-storey buildings: provide 9m between adjacent dwellings • If screening is provided these distances can be lessened. 	<ul style="list-style-type: none"> • The development proposes less than 9m separation distance to the dwellings to the east, proposing a separation distance approx. 2.3m from Units 1 & 3, approx. 4m from Unit 2 at ground level. • Separation distance of upper levels Units 1 & 2 to the east \geq 4.2m and to the west 6m. • Less than 9m is proposed to the dwellings to the north - 4m (32 Harold Street) and 8m (34 Harold Street) • Satisfactory level of screening is provided, and these distances are supported. 	No	Yes – see comments below

Development Control	Required	Proposed	Complies	Compliance with Objective
3.3.3.5.4 Natural cross ventilation	<ul style="list-style-type: none"> Min 60% of dwellings must have suitable floor plans for cross ventilation. 	<ul style="list-style-type: none"> All units have suitable cross ventilation 	Yes	Yes
3.3.3.5.5 Private Open Space	<ul style="list-style-type: none"> POS for all dwellings with a private entrance at ground level: <ul style="list-style-type: none"> Min area 50m² Min width 5m x 5m Min dimension 3.5m 1 tree and landscaping per POS All should have one sunny spot, be located adjacent to a living space and a space for clothes drying 	<ul style="list-style-type: none"> Unit 1 provides 63.45sqm of open space and one area measuring 3.8m x 8.2m. Unit 2 provides 50.06sqm of open space and one area measuring 3.8m x 5.6m within the alfresco area although the courtyard area width is variable 1.9m-2.6m. Unit 3 provides 85.09sqm of open space and one area measuring 3.5m x 6m. 	<p>Yes</p> <p>No</p> <p>Yes</p>	Yes – see comments below
3.3.4.1 Housing Choice	<ul style="list-style-type: none"> Provide a variety of dwelling types - No more than one third of dwellings should be the same type. Developments with 10 or more dwellings – 10% should be accessible. 	<ul style="list-style-type: none"> Provides a variety of dwelling types for the size of development proposed. The proposed development comprises 3 dwellings and not required to be adaptable. 	Yes	Yes
3.3.4.2 Residential Address	<ul style="list-style-type: none"> Provide a traditional street address - Front doors, windows, patios etc facing street. Dwellings with private open space at ground level have private entrance. Solid fences to a height of 1.2m, and partially transparent screening above that for fences that face public /communal areas. 	<ul style="list-style-type: none"> Unit 1 at the front of the site provides a traditional address to the street. Units 2 & 3 are orientated to side boundaries with front door facing the driveway at ground level and regular occupied rooms with direct access to POS. Private entrances provided. Unit 1 front courtyard fence proposes 1.5m decorative slat with timber post fence facing public domain. Proposal is satisfactory in this instance. 	Yes	Yes

Development Control	Required	Proposed	Complies	Compliance with Objective
3.3.4.3 Facades	<ul style="list-style-type: none"> • Articulate all facades • Use gently pitched roof elements with eaves • Light weight finishes incorporated 	<ul style="list-style-type: none"> • The facades are sufficiently articulated including changes in building materials and setbacks/alignment. • The proposal provides a contemporary development with skillion roofs that prevent monotonous exterior walls, disguise the scale and bulk of new buildings and provide privacy to residents and adjoining residential development. 	Yes	Yes
3.3.4.4 Landscaped Areas	<ul style="list-style-type: none"> • Provide a landscape plan • Site surrounded by canopy trees • New trees to have mature heights of 8-10m (similar height to building) • Continuous screen plantings to side and rear boundaries • Front setback to include 2 canopy trees, side setback to include 1, rear setback to include 2 • Side and rear setbacks should include screen plantings • Driveway flanked by landscaping 	<ul style="list-style-type: none"> • The proposed landscaping is supported by Council's Tree Assessment Officer. The proposal does not propose, impact nor require removal of prominent trees. • The visual impact of the building and privacy to the development and surrounding residences is achieved by the proposed landscape design. • Landscaping to driveway areas as shown on Landscape Plan • Canopy tree planting in courtyards of Unit 1 & 3 is proposed, no canopy tree in courtyard of Unit 2 – considered reasonable screening is provided in this instance. • Condition applied for planting of one (1) street tree. • Overall, the proposal provides a satisfactory level of landscaping. 	Yes	Yes

Development Control	Required	Proposed	Complies	Compliance with Objective
Clause 3.3.4.4.4 Structures & Site Facilities within defined setbacks	<ul style="list-style-type: none"> • New fences visible from street or public place integrate with buildings and landscaping • Garbage storage areas and enclosures designed to match proposed building and should be screened • On-site detention facilities, not visually intrusive and integrate with design of gardens or paved areas 	<ul style="list-style-type: none"> • 1.5m high courtyard fence proposed to Unit 1 facing the street is considered satisfactory • Garbage storage within courtyard areas. • On-site detention facilities are not visually intrusive and will integrate with the courtyard garden area. 	Yes	Yes
Clause 3.3.4.5.2 Design and Location of Stormwater Systems	<ul style="list-style-type: none"> • 25% (202 sqm) of the development site shall be deep soil 	<ul style="list-style-type: none"> • Provides 26.8% (216.8sqm) of site area as deep soil is a reasonable response and is considered to comply in this instance. • The proposal generally complies with the objectives, as it will not result in a discernible impact on streetscape character and does not impact on site services. • The proposal is consistent with Chapter 6.7 Water Cycle Management of GDCP 2013 	Yes	Yes
Clause 3.3.4.5.3 Garbage bin enclosures	<ul style="list-style-type: none"> • Not compromise urban design quality • Mobile bins are acceptable for smaller developments (18 dwelling or less) and single buildings 	<ul style="list-style-type: none"> • 3 x mobile bins are proposed per dwelling; plans indicate the location of the bins within the courtyards 	Yes	Yes
Clause 3.3.4.5.5 Storage	<ul style="list-style-type: none"> • 3-bedroom units: 10m³ 	<ul style="list-style-type: none"> • Given the size of the dwellings it is considered they would be capable of compliance. 	Yes	Yes

The non-compliances with Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings of the GDCP 2013 are discussed on the following pages.

3.3.3.1 Height

The purposes of building height controls are:

- a. To complement development standards in the Gosford LEP 2014,*
- b. To ensure that the scale of new buildings would be compatible with scenic qualities of hillside or ridgetop locations, and / or with existing and desired streetscape characters,*
- c. To limit the scale and intensity of redevelopment in established neighbourhoods.*

The maximum building height applicable to this site and area is 8.5m with a maximum of 2 storeys and exterior wall heights of 7.3m. The proposed development has a maximum building height of 7.717m, comprises 2 storeys with exterior wall height of 7.5m and complies with the development control.

Clause 3.3.3.1.3 requires a 2.7m ceiling height for 2 storey buildings. This is achieved at ground floor however 2.55m is proposed at first floor. This is a 0.15m or 5.6% variation. As the rooms benefit from first floor outlook and light an acceptable level of amenity is achieved with the benefit of an overall reduced height of the proposed building. As such, the variation to the ceiling height is acceptable.

3.3.3.2 Setbacks

The purposes of setback controls are:

- a. In conjunction with other numeric controls, to limit the intensity of new developments, and provide controls which complement the FSR controls in the Gosford LEP 2014,*
- b. To ensure that new developments are compatible with predominant patterns of buildings and gardens that define the existing and desired characters of each neighbourhood,*
- c. To conserve important elements of existing scenic quality, in particular any prominent trees that might be located near a site's boundaries,*
- d. To surround new buildings with deep soil areas that are sufficient to conserve existing trees or to accommodate intensive new landscaping,*
- e. To provide reasonable amenity for both existing and proposed dwellings,*
- f. To encourage amalgamation of narrow sites in order to achieve the most efficient use of lands that permit multi-unit residential developments.*

In accordance with clause 3.3.3.2.2, all buildings are to provide the following:

Side boundary setbacks

- Deep soil setback of 2m is required. The proposal provides:
 - The eastern side setback to Units 1 & 3 is 1.16m, being 0.84m or 42% variation to the controls; Unit 2 complies.
 - The western side setback to Unit 3 is 1.04m, being 0.96m or 48% variation for a length of 4.6m only.
- Setback to exterior walls of minimum of 3.5m is required. The proposal provides:
 - The eastern side setback at ground level is 1.16m, being 3.8m or 67% variation for Units 1 & 3, noting this applies to external walls that are single storey in height.
 - The eastern side setback of the upper storey to Units 1 & 2 is 2.86m–3.8m. A setback of 2.86m is an 18% variation to the setback requirements.
 - The western side setback at ground level of Unit 3 is 1.04m - 70% variation, however, occurs for a length of 4.6m only. The upper storey of Units 1 & 2 generally complies with a setback $\geq 3.58\text{m}$.

Front and rear boundary setbacks

- Front and rear setbacks, with deep soil of 6m is required.
 - The proposal provides 6m front setback and complies with the controls.
 - The proposal provides a rear setback of 2.66m - 3.5m for a single storey dwelling, which is a 42-56% variation at ground level.

Allowable encroachments for driveways and turning areas

- Large, paved areas provided they are flanked by a deep soil verge at least 1.0m wide which is planted with an avenue of trees and shrubs.
 - The western side boundary has a 0.2m verge to driveway (plus a triangular garden bed 1.4m x 7m to Paul Street). This is a 0.8m or 80% variation for part of this side boundary.
 - Planting is proposed at the dwellings on the eastern side of the driveway and at the end of the driveway including galvanised reinforced mesh to 1.8m with English Ivy proposed along the western boundary fence to soften the driveway area to minimise visual impacts of the new development.

The Applicant requests variation to the setback controls stating the application complies with the objectives of the controls. Enforcing the controls would have minimal discernible difference in the intensity of the development, a compliant FSR and street setback is provided. Adequate amenity (visual and acoustic privacy) to neighbouring dwellings is provided and sufficient deep soil zones are provided to accommodate new landscaping.

The proposed level of landscaping is considered satisfactory, and the proposal will provide reasonable setbacks and building separation for a two-storey development. The proposal complies with the building height and floor space ratio provisions of GLEP 2014. The proposed development is less than the maximum building height control of 8.5m, with a height of 7.717m and significantly under the FSR control of 0.5:1 with and FSR of 0.42:1. The variations to setbacks do not result in an unreasonable density or intensity of development.

Approximately 216.8sqm (26.8% of site area) of soft landscaping is provided and this is all deep soil as no basements are proposed. The courtyards located around the perimeter of the site provide sufficient deep soil planting to incorporate small to medium trees and shrubs, allowing the appropriate landscaping transition from the built form when viewed from the street and neighbouring lots. The proposal is consistent with the existing and emerging residential character and amenity of the surrounding area.

A reasonable level of amenity is achieved for proposed dwellings. The limited height of the building and setbacks will limit overshadowing. The upper level of Units 1 & 2 contains bedrooms and a large sitting room orientated to the western side boundary. The design of the development ensures line-of-sight privacy is maintained through minimising number of windows on the upper level with extra setbacks, glazing to stairwell windows and 1.8m high boundary fencing. The development provides usable open space.

There has been limited new development in Paul Street to date although further to the east of the site approval has been granted to a 2-storey dual occupancy development at No. 33 Paul Street. Setback provisions for dual occupancy developments is 3m at the rear and 1m at the side boundary with building envelope projected at 45 degrees from a height of 3.5m at site boundaries.

The proposal on lodgement comprised 4 x 2-storey dwellings on the site. The application has been amended to 3 dwellings comprising 2 x 2-storey dwellings and 1 single storey dwelling. The current proposal, refer Figure 5 (Proposed site plan), is comparable to the 3-dwelling development at No. 43 Paul Street and proposes similar building height and setbacks. Although it is acknowledged No. 43 Paul Street comprises 2 single storey dwellings and a 2-storey dwelling at the front of the site. The building footprint and setbacks to boundaries of No. 43 Paul Street is shown by the approved site plan in Figure 10 below.

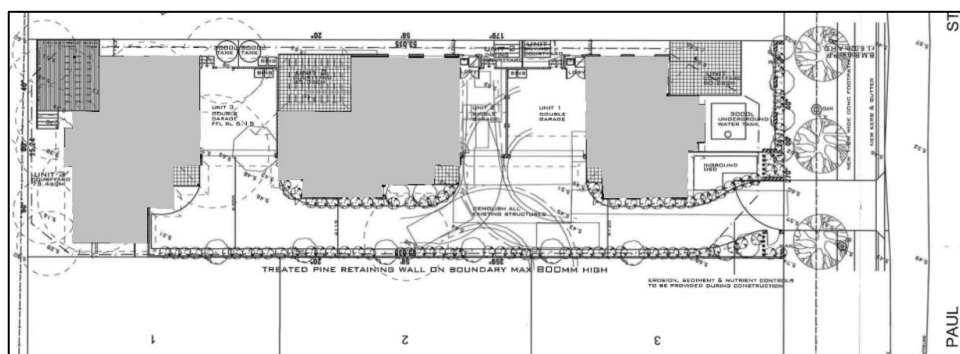


Figure 10 – Site Plan - multi dwelling housing (3 dwellings) at 43 Paul Street

The subject site lot has a width of 15.24m, which is considered reasonable to meet most of the primary objectives for a good multi dwelling housing design in the context of the area. A requirement to amalgamate with an adjoining lot or scale the development back to a dual occupancy or 3 single storey units is unreasonable given that a development of a satisfactory quality can be constructed on the site without impacting on the amenity of existing or future adjoining property owners. Despite the variations to the required setback and deep soil provisions the proposal is a reasonable design solution for the size of the site in a medium density area to achieve orderly and economic use of the land.

The proposed development is not considered to result in adverse shadow, privacy or view impacts for surrounding properties and on this basis, it is considered the proposal complies with the setback objectives. The variations to the numerical setback standards are supported in this instance.

3.3.3.4 Articulation

The purposes of controls for articulation are:

- a. To prevent monotonous exterior walls that accentuate the scale and bulk of buildings,*
- b. To limit the apparent height and length of new facades,*
- c. To ensure that the size and bulk of new developments would not compromise existing scenic qualities that might be displayed by the surrounding locality,*
- d. To achieve compatibility with the predominant patterns of buildings and gardens that define the existing and desired characters of each neighbourhood*

Clause 3.3.3.4.2 provides controls for maximum dimensions of buildings. A building may exceed elevations longer than 25m-35m however must be indented with 6 X 6 courtyard, including 1 canopy tree, reduced wall heights surrounding each courtyard and roof forms should be varied.

The proposed building is 44.4m in length (26.8% variation), courtyard to Unit 2 is less than 6m in width, canopy trees are provided to the courtyards of Units 1 & 3. Despite the non-compliance the variation is supported. Satisfactory articulation is achieved in accordance with the controls. A satisfactory level of detailing has been applied to the building to prevent monotonous appearance using changes in building materials, fenestration and varying roof form incorporating visually separated 'pavilion-elements' for the upper storey of Units 1 & 2. Surrounding courtyards exterior walls are reduced with sufficient building modulation incorporating courtyard and service areas.

In addition, building length can impact on cross ventilation, and all units provide satisfactory natural ventilation. The proposed development is of a satisfactory size and bulk and does not compromise the streetscape and character of the surrounding area.

3.3.3.5.3 Site Planning

The purposes of controls for site planning are to ensure that *"Site planning and design shall provide reasonable privacy for both existing and proposed dwellings"*.

This section of the GDCP 2013 states that *"For two storey buildings: provide 9m between adjacent dwellings"*. It also states that *"If screening is provided these distances can be lessened"*.

The development proposes less than 9m separation distance to the dwellings to the east, proposing a separation distance approx. 2.3m from Units 1 & 3, approx. 4m from Unit 2 at ground level. Separation distance of upper levels Units 1 & 2 to the east $\geq 4.2\text{m}$ and to the west 6m.

Less than 9m is proposed to the dwellings to the north, 4m (32 Harold Street) and 8m (34 Harold Street). The single storey dwelling at the rear of the site (Unit 3) and increased rear setback allows some area for landscaping to contribute to the canopy and to provide screening and outlook. This dwelling will be screened by 1.8m high boundary fence and is now appropriately scaled as a single storey building to be compatible with single residences to the north.

The upper level of Units 1 & 2 contains bedrooms and a large sitting room orientated to the western side boundary. The design of the development ensures line-of-sight privacy is maintained through minimising number of windows on the upper level with extra setbacks, glazing to stairwell windows and 1.8m high boundary fencing. Given building separation of a two-storey dual occupancy would only require a 1m separation at ground level and reduced upper-level setbacks to that required of the proposal, further separation of the 2-storey dwellings is not considered to be required in this instance.

The outlook from all units to adjoining properties is reasonable and internally the development has been designed to provide privacy for dwellings and there will not be cross views between units or adverse impacts on adjoining neighbours from overlooking. Reasonable privacy is provided for neighbours and proposed dwellings.

3.3.3.5.5 Private Open Space

The purpose of this section of the GDCP 2013 is to provide well-designed private open spaces for every new dwelling as follows:

- Private open space all dwellings - min area 50sqm
- Min width 5m x 5m
- Min dimension is 3.5m

Unit 1 provides 63.45sqm of open space and one area measuring 3.8m x 8.2m.

Unit 2 provides 50.06sqm of open space and one area measuring 3.8m x 5.6m within the alfresco area although the courtyard area width is variable 1.9m-2.6m.

Unit 3 provides 85.09sqm of open space and one area measuring 3.5m x 6m.

All dwellings generally achieve the required minimum area and minimum dimensions of 3.5m including a service area. One (1) tree is provided to courtyards of Units 1 & 3 and all courtyards are suitably landscaped. All private open space areas have one sunny spot, located adjacent to a living space and a space for clothes drying. The proposal is supported and provides acceptable and usable open spaces for each dwelling.

Conclusion

Although the proposal indicates a number of variations exceeding setback limits, this is relatively minor in the context of the overall development bulk and scale. The proposal integrates with the existing streetscape and will not have adverse privacy and amenity impacts on adjoining residential dwellings, by overlooking and overshadowing. The proposal meets the aims of the chapter and is a reasonable design response for multi dwelling housing developments.

GDCP 2013 - Chapter 6.3 Erosion and Sediment Control

An Erosion and Sediment Control Plan has been provided and appropriate conditions recommended. The development requires the provision of Erosion & Sedimentation controls during construction. The proposal meets the minimum requirements of Clause 6.3 of the GDCP 2013.

GDCP 2013 - Chapter 6.6 Preservation of Trees or Vegetation

The proposal does not propose, impact nor require removal of prominent trees. The proposal includes landscaping and two new canopy trees and is acceptable. The proposal has adequately addressed this chapter of the GDCP 2013.

A condition is recommended requiring the planting one (1) street tree within the road reserve to enhance the existing landscape character of the area, ***refer Condition 5.6.***

GDCP 2013 - Chapter 6.7 Water Cycle Management

The Water Cycle Management Plan submitted has been reviewed by Council's Senior Development Engineer and addresses the requirements of the Chapter 6.7 of Council's GDCP 2013. The proposal's response to flooding and drainage requirements is discussed under Clause 7.2 Flood Planning of GLEP 2014.

GDCP 2013 - Chapter 7.1 Car Parking

The objectives of this chapter are as follows:

- a. *To facilitate traffic management and safe traffic movement.*

- b. To establish an appropriate environmental quality for parking facilities associated with site development*
- c. To provide parking facilities which are convenient and sufficient for the use of service groups, employees, and visitors.*
- d. To ensure that a balance is achieved between the needs of the proposed development and its use, and that of vehicular and pedestrian traffic.*

Car Parking

Chapter 7.1 Car Parking provides car parking requirements for multi dwelling housing developments in accordance with clause 7.1.3.2 Schedule Requirements, of 1.5 spaces per dwelling for residents and 0.2 spaces per dwelling for visitor parking (rounded up to the next whole number).

- The proposed development requires a total of 5 resident spaces which is provided onsite.
- One (1) visitor car space would be required; no visitor parking is provided in this instance. Visitor parking for <4 units may be provided on the street or where unrestricted on-street parking is safely available within 60m of the development.

The parking arrangements are considered consistent with the objectives of Chapter 7.1 given the size of the units in the development and compliance with the required number of car parking spaces, and the availability of on-street parking in front of the site which is not considered to have detrimental impact on surrounding development.

Road Works

The required road works for the proposal has been reviewed by Council's Senior Development Engineer and deemed satisfactory. The following comments are provided:

- The site has a frontage to Paul Street. There is no kerb & gutter or footpath in Paul Street. The footway slightly grades towards the property boundary.
- The following works would be required in the road reserve in conjunction with this development:
 - Road works, including kerb & gutter. The face of kerb is to be 5.4m off the property boundary to match the kerb alignment in front of No 43 Paul Street (SP 91633).
 - Footway formation at 2% grading from the property boundary to the proposed kerb & gutter.
 - A kerb inlet pit at the lower end of the proposed kerb & gutter with an absorption trench in the footway to infiltrate stormwater from the road pavement / kerb & gutter into the ground.
 - Vehicle access crossing.
 - Stormwater connections from the site to the kerb & gutter.

Access

Access to the site has been reviewed by Council's Senior Development Engineer and deemed satisfactory. The following comments are provided:

- A 4m wide vehicle access crossing and a driveway within the western boundary of the site is proposed to provide access to the garages for each unit. The access and parking arrangements will need to comply with AS2890.1:2004.
- Parking Spaces - The development proposes 5 workable car parking spaces as indicated in the vehicular swept turning paths prepared by Halcrow & Associates (Drawing No 21.03.013, Sheet DA3 of 3 amendment A dated 15/02.2022) submitted with the application, and the dimensions indicated in the architectural plans.

Traffic

The existing road networks has the capacity to accommodate the additional traffic generated by the proposed development.

In conclusion, the proposal is consistent with the objectives of Chapter 7.1 of GDCP 2013. Vehicles can enter and exit the site in a forward direction. A balance can be achieved between the needs of the proposed development and its use, and that of vehicular and pedestrian traffic.

GDCP 2013 - Chapter 7.2 Waste Management

A Waste Management Plan has been submitted with the proposal. Mobile garbage bins, 3 per dwelling is proposed. The architectural plans indicate the location of the bins within the courtyards; appropriate travel paths can be achieved. The proposal has demonstrated compliance with this chapter of the GDCP 2013.

Likely Impacts of the Development

Section 4.15 (1)(b) of the EP&A Act requires consideration of the likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. The likely impacts of the development are addressed below:

Built Environment, Context and Setting

The subject site is zoned R1 General Residential and is surrounded by a mix of one and two storey single dwelling and multi dwelling housing developments.

A thorough assessment of the impacts of the proposed development on the built environment has been undertaken in terms of GLEP 2014 and GDCP 2013 compliance.

Despite the non-compliances discussed throughout this report the proposal will not have any unreasonable impacts on the character or amenity of the area. The proposed built form is considered acceptable in the context of the site.

The proposed development is not considered to have adverse amenity impacts to adjoining development from overshadowing, privacy, noise generating activities and views subject to the recommended conditions of consent.

Natural Environment

The subject site does not contain any threatened species or habitat. The proposal is satisfactory in relation to impacts on the natural environment as identified throughout this report. There will be no significant impact upon the natural environment as a result of the proposal.

Economic and Social Impacts

The proposed development will contribute to the supply of housing needs in the locality and is considered to be satisfactory from an economic perspective. No unreasonable social impacts will arise from the approval of this residential development.

Suitability of the Site for the Development

Section 4.15 (1)(c) of the EP&A Act requires consideration whether the site is suitable for the proposed development.

The site is zoned R1 General Residential under GLEP 2014 which permits multi dwelling housing developments.

There are no environmental hazards which would prevent development of the site, existing utilities are available to the site and is located near public transport facilities as well as public recreation / community facilities.

Previous and proposed use of the site is for a residential purpose. As such the site is considered suitable for this type of development adequately addresses the site constraints and impacts, subject to conditions of consent relating to civil works, traffic, visual and acoustic privacy and the provision of landscaping.

Any Submission made in Accordance with this Act or Regulations

Section 4.15 (1)(d) of the EP&A Act requires consideration of any submissions received during notification of the proposal.

The proposal was formally advertised and notified in accordance with GDCP 2013 Chapter 7.3.2 Notification of Development Proposals as a 2-storey, 4-unit multi dwelling housing

3.2 DA/62203/2021 - 37 Paul Street, Umina Beach - Multi Dwelling Housing 3 units & Demolition of existing dwelling (contd)

development between 9 July 2021 and 6 August 2021. Concerns were raised regarding deficient information available for viewing on Council's website, to enable residents to review the Development Application and provide comment. The plans/documents were made available on the website and residents were granted an extension of 2 weeks to lodge a submission. During this time Council was contacted by a number of residents of Paul Street and following this an on-line community meeting was held on 19 August 2021 to facilitate questions regarding the proposed development. The meeting was attended by 9 residents. To assist residents the notification period was extended, and 13 submissions were received to the proposed development.

On 5 October 2021 the applicant was asked to address issues in relation to building height, floor space ratio, setbacks, private open space, landscaping, and waste management.

Following further discussions with the applicant, amended engineering plans were received on 21 February 2022 and amended architectural plans were received on 1 March 2022. The amended plans and information which included a redesign of the proposal to a 3-unit residential development comprising 2 x 2-storey dwellings and 1 x single story dwelling at the rear of the site, including increased rear setback, reduction in car parking spaces from 6 spaces to 5 spaces and reduction of gross floor area (GFA) from 402sqm to 339sqm (0.497:1 to 0.42:1 FSR. Given the significant change to the design of the proposed development the amended plans were re-notified from 11 March 2022 to 25 March 2022. Notwithstanding the reduced scheme 16 submissions were received objecting to the proposal.

It is noted that the submissions to the second notification period are not all unique being similar in content and structure, however, have been submitted and signed by individuals with some submitted several times. However, the submissions are a further response to the initial submission period which received 13 submissions. Considering this, the proposal is reported to the Local Planning Panel.

Those issues associated with key issues have been addressed in the above report. The remaining issues pertaining to various concerns were addressed in the assessment of the application pursuant to the heads of consideration contained within section 4.15 of the EP&A Act.

A summary of the submissions objecting to the proposal is detailed below.

- ***Non-compliance with zone objectives***

Comment:

Refer to discussion in the report under *Gosford Local Environmental Plan 2014 (GLEP 2014) - Zoning and Permissibility*.

Taking into consideration the varying lots sizes adjoining and adjacent to the subject site and the generally low-density residential nature of the surrounding area, the proposed

development was requested to be amended from 4 x 2-storey dwellings (on lodgement) to 3 dwellings, 1 single storey dwelling at the site rear and 2 x 2-storey dwellings as now proposed to address the zone objectives more appropriately.

In conclusion, the proposal assists in meeting the housing needs for the community and will increase housing choice in the area. The proposal appropriately addresses its impacts as discussed throughout the report and represents an acceptable design, responds to the site and generally maintains the residential character and amenity of the surrounding area.

- **Compliance with DCP controls**

Comment:

Development Control Plans (DCP's) are specifically established within the planning system to be guidelines and, as a result, are notionally flexible provided that such variation can be justified or where strict adherence to the standards is unreasonable or unnecessary. Please note that the EP&A Act specifies that the principal purpose of DCP's are to 'provide guidance' on planning matters (refer Clause 3.42 of the EP&A Act).

A thorough assessment of the relevant DCP controls for the proposed development has been undertaken, refer to discussion in the report under *Gosford Development Control Plan 2013 (GDCP 2013) – Chapter 2.1 Character and Chapter 3.3 Multi Dwelling Housing and Residential Flat Buildings*.

The assessment has considered the request to vary development controls as discussed in the report. It is considered proposal is consistent with the objectives of the zone and desired streetscape and character of the area and will have appropriate transition in building form to adjoining developments. The building setbacks to boundaries are consistent with the multi-unit development at No. 43 Paul Street and the proposal provides adequate private open space and landscaped areas. The proposal is not considered to have detrimental privacy and amenity impacts on adjoining development in terms of overlooking, overshadowing and view impacts.

- **Height and scale too large for the site, not consistent with neighbourhood character**

Comment:

Refer to discussion in the report under *Gosford Local Environmental Plan 2014 (GLEP 2014) - Zoning and Permissibility, Gosford Development Control Plan 2013 (GDCP 2013) – Chapter 2.1 Character and Chapter 3.3 Multi Dwelling Housing and Residential Flat Buildings*.

The scale of the proposal is below the maximum potential for the site and complies with the relevant development standards in GLEP 2014. The maximum building height applicable to this site and area is 8.5m. The proposed development has a maximum building height of

7.717m. The FSR applicable is 0.5:1. The proposed FSR is 0.42:1. It is considered proposal is consistent with the objectives of the zone and desired streetscape and character of the area.

Notwithstanding the non-compliance in building setbacks and deep soil zones of Chapter 3.3 of GDCP 2013 pertaining to development controls for multi dwelling housing the proposal the amended application however is now considered to generally comply with the objectives of the DCP. The reduction of dwellings from 4 to 3 allows a larger area of deep soil and satisfactory level of landscaping to disguise the scale of the building and provide screening to and from adjoining sites. Upper storey setbacks and the single storey building at the rear also disguise the scale and result in a development that is compatible with the existing and likely future character of the of the area.

The subject site lot has a width of 15.24m, which is considered reasonable to meet most of the primary objectives for a good multi dwelling housing design in the context of the area. A requirement to amalgamate with an adjoining lot or scale the development back to a dual occupancy or 3 single storey units is unreasonable given that a development of a satisfactory quality can be constructed on the site without impacting on the amenity of existing or future adjoining property owners. Despite the variations to the required setback and deep soil provisions the proposal is a reasonable design solution for the size of the site in a medium density area to achieve orderly and economic use of the land.

- ***No consideration for the privacy for surrounding neighbours and significant overshadowing***

Comments:

Refer to discussion in the report under *GDCP 2013 – Chapter 2.1 Character and Chapter 3.3 Multi Dwelling Housing and Residential Flat Buildings*

Privacy is addressed to all adjoining properties by increased building setbacks and single storey dwelling proposed to the rear of the site, proposed landscaping and 1.8m high boundary fencing. The upper level has a satisfactory setback to the western boundary to avoid overlooking of adjoining property. Opaque window glazing is proposed to stairwell of Unit 1 on this elevation to minimise overlooking. The upper level has a satisfactory setback to the eastern boundary, windows on this elevation are to bedrooms, considered low usage rooms, and have reduced impacts from overlooking than do high usage rooms such as sitting and living areas. No further treatment of windows on the upper level is required.

The application has been amended reducing the proposal from 4 x 2-storey dwellings to 1 single storey dwelling at the rear and 2 x 2 storey dwellings. The proposal is below the maximum height allowed on the site and including the proposed setbacks of the upper storey reduces overshadowing and overlooking impacts and the visual impact on the adjoining properties to the north, east and west.

Shadow diagrams provided with the application indicate the adjoining developments to the east and west will be subject to overshadowing however will receive the required minimum amount of sunlight in accordance with clause 3.3.3.5.2 Sunlight and Overshadowing of Chapter 3.3. The proposal demonstrates that greater than 3 hours/day sunlight is retained to adjoining sites to the east and west of the site.

Consideration has been given to the approved, not yet constructed, 2-storey dual occupancy development at No. 33 Paul Street and the impact of overshadowing to No. 35 Paul Street from this development and the proposal. The open spaces of No. 35 Paul Street are overshadowed by the studio at the rear of the site in the afternoon although this building is single storey. Limited overshadowing during the morning will occur from the approved development at No. 33 Paul Street as it is set towards the site frontage at Paul Street with greater rear setbacks.

The proposed development will not have any adverse overshadowing effects on adjoining residential development.

- ***The Statement of Environmental Effects is misleading and contains a number of inaccuracies***

Comment:

Notwithstanding the comments in the accompanying Statement of Environmental Effects and the stated inaccuracies raised in submissions a thorough merit assessment of the proposal has been undertaken of the impacts of the proposed development on the built environment in terms of GLEP 2014 and GDCP 2013 compliance. Despite the non-compliances discussed throughout this report the proposal will not have any unreasonable impacts on the character or amenity of the area. The proposed built form is considered acceptable in the context of the site.

The proposed development is not considered to have adverse amenity impacts to adjoining development from overshadowing, privacy, noise generating activities and views subject to the recommended conditions of consent.

- ***Impact on properties if Acid Sulfate Soils are found***

Comment:

Refer to discussion in the report under 7.1 Acid Sulfate Soils. The proposed works on the site is not considered to impact on adjoining properties. Geotechnical investigations are not required in this instance. A condition is included in the consent should Acid Sulfate Soils be found during works, ***refer Condition 4.11.***

- ***Flood impacts on adjoining property***

Comment:

Refer to discussion in the report under *GLEP 2014 7.2 Flood Planning*. A satisfactory level of information has been provided with the application for Council to consider the impacts of the development in relation to flooding and drainage. The flooding impacts from the proposal on adjoining properties has been considered by Council's Senior Development Engineer.

With the absence of longitudinal street drainage, it is recommended that a kerb inlet pit is constructed at the lower (western) end of the proposed kerb & gutter with an absorption trench in the footway to infiltrate stormwater from the road pavement / K&G into the ground. This would also prevent flows from the kerb & gutter discharging into the neighbouring site (No. 39 Paul Street).

The development provides on-site detention of stormwater/nutrient control, via rainwater tanks and infiltration trench is in the front landscaping, to limit post development peak flows from the site to the predevelopment peak flows for storm events up to and including the 1% AEP storm event. Overflow outflows of stormwater from the infiltration trenches are proposed to connect to the proposed kerb line in Paul Street.

The site is not in a designated flow path, the proposal will not affect the safe occupation of the land, will not increase the risk of flood and will not increase in the potential of flooding detrimentally affecting other development of properties. It is considered that the development is compatible with the flood hazard on the site.

The proposal is not considered to impact No. 35 Paul Street due to the direction of flows in the area. Kerb and guttering is not required to be provided by the developer to No. 39 or No. 35 Paul Street to mitigate flooding impacts.

- ***Impacts from on street parking***

Comment:

Refer to discussion in the report under *GDCP 2013 – Chapter 7.1 Car Parking*. The provision of onsite car parking and visitor parking on the street is met in accordance with the requirements of the GDCP 2013. Council's Senior Development Engineer has reviewed the proposal, access and vehicle manoeuvring on the site which is deemed suitable to cater for the development proposed.

Internal Consultation

The following internal consultations have been undertaken:

Architect	Supported without conditions
Development Engineer	Supported subject to Conditions 2.4-2.7, 3.12-3.13, 5.10-5.16

**3.2 DA/62203/2021 - 37 Paul Street, Umina Beach - Multi Dwelling Housing
3 units & Demolition of existing dwelling (contd)**

Tree Assessment Officer	Supported subject to Conditions 5.6
Waste Services	Supported subject to standard Conditions 4.7, 6.3-6.5
Water and Sewer	Supported subject to Conditions 2.7, 2.8, 5.17

Ecologically Sustainable Principles

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

Climate Change

The potential impacts of climate change on the proposed development have been considered by Council as part of the assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope, combat, withstand these potential impacts. The proposed development is considered satisfactory in relation to climate change.

The Public Interest

Section 4.15 (1)(e) of the EP&A Act requires consideration as to whether the proposal is in the public interest.

The proposal will not have any adverse impact on the natural environment and will not unreasonably impact the amenity of neighbouring properties. The approval of the application is considered to be in the public interest.

Political Donations

During assessment of the application there were no political donations declared by the applicant, applicant's consultant, owner, objectors and/or residents.

Other Matters for Consideration

Section 7.11 Contributions

The subject site is located within section 7.11 development contribution CP 31 Peninsula where multi dwelling housing developments are subject to section 7.11 contributions. The applicable contribution amount was calculated based on 1 medium unit and 2 large units with a credit for the existing dwelling and imposed as a standard condition of consent requiring the contribution to be paid prior to the issue of any Construction Certificate, ***refer Condition 2.3.***

Water and Sewer Contributions

Water and sewer services are available to the land. Building adjacent to sewer conditions apply and developer charges are applicable. Therefore, engineering is required to be approved by council for building in proximity to sewer assets. A Section 307 certificate of Compliance is required.

Construction Traffic and Pedestrian Management Plan (CTMP)

A Construction Traffic and Pedestrian Management Plan (CTMP), will be prepared and submitted to the certifying authority which will detail proposed construction works, the traffic impacts on the local area and how these impacts will be addressed. Council is not required to approve these plans, ***refer Condition 3.12.***

Conclusion

This application has been assessed under the heads of consideration of section 4.15 of the Environmental Planning and Assessment Act 1979 and all relevant instruments and policies. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse social or economic impact.

Accordingly, the application is recommended for **approval** pursuant to section 4.16 of the Environmental Planning and Assessment Act.















Reasons for the Decision

The reasons for the decision as recommended under the assessment of this application are as follows:

1. The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
2. There are no significant issues or impacts identified with the proposal under s.4.15 of the Environmental Planning and Assessment Act 1979.

**3.2 DA/62203/2021 - 37 Paul Street, Umina Beach - Multi Dwelling Housing
3 units & Demolition of existing dwelling (contd)**

Attachments

1 	Draft Conditions DA 62203 2021 - 37 Paul Street Umina Beach	D15219868
		
2 	Architectural Plans Nathers Stamped - 37 Paul St Umina Beach -	D15209899
	DA/62203/2021	
3 	NatHERs Certificate - 37 Paul Street Umina Beach - DA/63302/2021	D15215931
		
4 	PUBLIC BASIX Certificate 37 Paul St Umina Beach DA/62203/2021	D15067758
		
5 	PUBLIC Amended Stormwater Plan & Vehicle Swept Path Plan 37 Paul	D15063208
	St Umina Beach DA/62203/2021	
6 	PUBLIC Revised Water Cycle Management Plan 37 Paul St Umina Beach	D15063191
	DA/62203/2021	
7 	PUBLIC Waste Management Plan 37 Paul St Umina Beach	D15067750
	DA/62203/2021	

DRAFT CONDITIONS OF CONSENT

Application Number: DA/62203/2021
Proposed Development: Multi Dwelling Housing 3 units & Demolition of existing dwelling
Property Address: Lot 22 DP 26543, 37 Paul Street, UMINA BEACH

1. PARAMETERS OF THIS CONSENT**1.1. Approved Plans and Supporting Documents**

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title	Drawn By.	Dated
100	C	Site Plan & Site Analysis	KM Design Partners	11/05/2021
110	C	Shadow Diagrams 22 June as Noted	KM Design Partners	11/05/2021
120	C	Shadow Diagrams 22 March/September as Noted	KM Design Partners	11/05/2021
200	C	Floor Plans	KM Design Partners	11/05/2021
300	C	Elevations as Noted & Section A-A	KM Design Partners	11/05/2021
400	C	Landscape Plan	KM Design Partners	11/05/2021

Document Title.	Version No.	Prepared by.	Dated.
BASIX Certificate No. 1198892M-02	2	Building Sustainability Assessments	03/03/2022
Nathers Certificate No. 17061	-	Building Sustainability Assessments	03/03/2022
Stormwater Management Plan & Vehicle Swept Path Plan, Ref 21.03.013, 3 sheets	A	Halcrow & Associates Pty Ltd	15/02/2022
Waste Management Plan	-	KM Design Partners	04/03/2022
Water Cycle Management Plan, Ref 2103013A	3	Halcrow & Associates Pty Ltd	18/02/2022

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or

between an approved plan and a condition when it is not possible to comply with both at the relevant time.

- 1.2. Carry out all building works in accordance with the National Construction Code Series, Building Code of Australia, Volume 1 and 2 as appropriate.
- 1.3. Comply with all commitments listed in the BASIX Certificate for the development as required under clause 97A of the *Environmental Planning and Assessment Regulation 2000* or Section 75 *Environmental Planning and Assessment Regulation 2021* (as appropriate).

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to any Construction Certificate.
- 2.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
 - a) Site investigation for the preparation of the construction, and / or
 - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - c) Demolition.
- 2.3. Pursuant to Section 7.11 of the *Environmental Planning and Assessment Act 1979*, pay to Council a total contribution amount of **\$33,101.80**, that may require adjustment at the time of payment, in accordance with the relevant Council Contribution Plans No. 31A, 31B, 31C & 31D - Peninsula.

Roadwork - Capital	B	(Key No 789)	\$1,881.25
Open Space - Land	C	(Key No 791)	\$4,900.00
Open Space - Embellishment	C	(Key No 790)	\$14,305.30
Community Facilities - Land	D	(Key No 793)	\$287.90
Community Facilities - Capital	D	(Key No 792)	\$4,813.70
Drainage - Land	A	(Key No 787)	\$1,342.00
Drainage - Capital	A	(Key No 788)	\$5,571.65
TOTAL AMOUNT			\$33,101.80

The total amount must be indexed each quarter in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician as outlined in the contributions plan.

Contact Council's Contributions Planner on 1300 463 954 for an up-to-date contribution payment amount.

Any Construction Certificate must not be issued until the developer has provided the Certifier with a copy of a receipt issued by Council that verifies that the contributions have been paid. A copy of this receipt must accompany the documents submitted by the certifying authority to Council under Clause 104/Clause 160(2) of the *Environmental Planning and Assessment*

Regulation 2000.

A copy of the Contribution Plan may be inspected at the office of Central Coast Council, 2 Hely Street Wyong or on Council's website: [Development Contributions - former Gosford LGA](#)

- 2.4. Obtain a Roads Act Works Approval by submitting an application to Council for a Section 138 Roads Act Works Approval for all works required within the road reserve. The application is to be lodged using an *Application for Subdivision Works Certificate or Construction Certificate, Roads Act Works Approval and other Development related Civil Works* form.

The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably experienced qualified professional in accordance with Council's *Civil Works Specifications*.

Fees, in accordance with Council's Fees and Charges, will be invoiced to the applicant following lodgement of the application. Fees must be paid prior to Council commencing assessment of the application.

Design drawings, reports and documentation will be required to address the following works within the road reserve:

- a) Up to half width road construction including kerb and guttering, subsurface pavement drainage, concrete footpath, verge formation, street stormwater drainage and a minimum 6 metre wide new road pavement with end transitions across the full frontage of the site in Paul Street.
- b) Construction of concrete footpath for the full street frontage of the development in Paul Street.
- c) Construction of the road verge/footway formation graded at +2% from the top of existing kerb to the property boundary, across the full frontage of the site in Paul Street. Construction to include transitions to existing formation either side of the site.
- d) Construction of a residential vehicle access crossing that has a width of 4 metres at the road gutter crossing and 4 metres at the property boundary including construction of a gutter crossing and road pavement adjacent to the gutter crossing.
- e) Construction of any works required to transition new works into existing infrastructure and the surrounding land formation.
- f) Construction of a kerb inlet pit at the low point of the required kerb and channel and the provisions of an infiltration trench in the road verge/footpath area.
- g) Construction of a storm water drainage connection from the development site to the required kerb & gutter within the road reserve.
- h) Road pavement designs. An Investigation and Design report prepared by a practising Geotechnical Engineer must be provided. The pavement design thickness must be determined in accordance with Council's specifications and the following traffic loadings:

Name of Street	Traffic Loading (ESAs)
Paul Street	2,000,000

The section 138 Roads Act Works Approval must be issued by Council and all conditions of

that approval must be addressed prior to occupying and commencing any works in the road reserve.

- 2.5. Submit to Council a dilapidation report detailing the condition of all Council assets within the vicinity of the development. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs, street lights or any other Council assets in the vicinity of the development. The dilapidation report will be required to be submitted to Council prior to the issue of the Section 138 Roads Act Works approval or the issue of any construction certificate for works on the site. The dilapidation report may be updated with the approval of Council prior to the commencement of works. The report will be used by Council to establish damage to Council's assets resulting from the development works.
- 2.6. Submit to the Registered Certifier responsible for issuing the construction certificate for works within the development site detailed design drawings and design reports for the following engineering works:
 - a) Construction of driveways and car parking areas in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: Parking Facilities and other applicable Australian Standards.
 - b) Construction of a stormwater detention system. Design in accordance with Chapter 6.7 Water Cycle Management of the Gosford Development Control Plan 2013 and Council's Civil Works Specifications. The stormwater detention system must limit post development peak flows from the proposed development to less than or equal to predevelopment peak flows for all storms events up to and including the 1% Annual Exceedance Probability (AEP) storm event. A runoff routing model/method must be used. An onsite stormwater detention report including an operation and maintenance plan must accompany the design. Onsite stormwater detention is not permitted within private courtyards, drainage easements, and / or secondary flow paths. The stormwater detention system shall be generally in accordance with the Water Cycle Management Plan prepared by Halcrow & Associates (Ref 2103013A dated 18/02/2022 and the Concept Stormwater Plan prepared by Halcrow & Associates (Drawing No 21.03.013 Sheet DA1 of 3 Amendment A dated 15/02/2022).
 - c) Construction of nutrient and pollution control measures. Design in accordance with Chapter 6.7 Water Cycle Management of the Gosford Development Control Plan 2013. A nutrient and pollution control report including an operation and maintenance plan must accompany the design. The nutrient and pollution control measures shall be generally in accordance with the Water Cycle Management Plan prepared by Halcrow & Associates (Ref 2103013A dated 18/02/2022 and the Concept Stormwater Plan prepared by Halcrow & Associates (Drawing No 21.03.013 Sheet DA1 of 3 Amendment A dated 15/02/2022).
 - d) Construction of onsite stormwater retention measures. Design in accordance with Chapter 6.7 Water Cycle Management of the Gosford Development Control Plan 2013. A report detailing the method of stormwater harvesting, sizing of retention tanks for reuse on the site and an operation and maintenance plan must accompany the design. The onsite stormwater retention measures shall be generally in accordance with the Water Cycle Management Plan prepared by Halcrow & Associates (Ref 2103013A dated

18/02/2022 and the Concept Stormwater Plan prepared by Halcrow & Associates (Drawing No 21.03.013 Sheet DA1 of 3 Rev A dated 15/02/2022).

- e) Construction stormwater drainage collection and piping of all stormwater runoff from areas within the site via the onsite stormwater detention facility and nutrient/pollution control measures to the approved connection with Council's drainage system located in Paul Street.
- f) Construction of buildings with the minimum floor level of all habitable rooms in the development being Reduced Level (RL) 6.2m Australian Height Datum (AHD).
- g) Construction of buildings from materials that are used or located below Reduced Level (RL) 6.2m Australian Height Datum (AHD) must be of a type that is able to withstand the effects of immersion.
- h) Construction of retaining walls where indicated on development approval documentation. Retaining wall design must not conflict with existing or proposed services or utilities. Retaining walls designs for wall greater than 600mm in height must be certified by a registered practising Civil or Structural engineer as being in accordance with Australian Standards.

Detailed design drawings and design reports acceptable to the Registered Certifier must be included in the Construction Certificate documentation.

- 2.7. Submit engineering details prepared and certified by a practising structural engineer that comply with *Council's Building Over or Adjacent to Sewer and Water Main Guidelines* to the satisfaction of Council. Engineering details must be submitted to Council's Water Assessment Team for approval. Plan assessment fees apply.
- 2.8. Submit an application to Council under section 305 of the Water Management Act 2000 for a section 307 certificate of compliance. The Application form can be found on Council's website www.centralcoast.nsw.gov.au. Early application is recommended.

The section 305 application will result in a section 306 letter of requirements which must be obtained prior to the issue of any Construction Certificate. The requirements letter will outline which requirements must be met prior to each development milestone eg. prior to construction certificate and occupation certificate.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Appoint a Principal Certifier for the building work:
 - a) The Principal Certifier (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - b) Submit to Council a Notice of Commencement of Building Work form giving at least two (2) days' notice of the intention to commence building work. The forms can be

found on Council's website: www.centralcoast.nsw.gov.au

- 3.3. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a) The name, address and telephone number of the Principal Certifier for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.
 - d) Remove the sign when the work has been completed.

- 3.4. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au

Contact Council prior to submitting these forms to confirm the relevant fees.

This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage). This condition does not apply to swimming pool plumbing that does not physically connect / break into the sewer system.

- 3.5. Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
 - diverting uncontaminated run-off around cleared or disturbed areas, and
 - preventing the tracking of sediment by vehicles onto roads, and
 - stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- 3.6. Provide and maintain a garbage receptacle at the work site until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for food scraps and papers.
- 3.7. Notify the intention to commence works by giving written notice to the owner of the adjoining property affected by the proposed excavation and/or structural protective works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protection works.
- 3.8. Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- a. could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or

- b. could cause damage to adjoining lands by falling objects, or
- c. involve the enclosure of a public place or part of a public place.

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

Note 2: The *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011* contain provisions relating to scaffolds, hoardings and other temporary structures.

- 3.9. Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.

Each toilet must:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- c) be a temporary chemical closet approved under the *Local Government Act 1993*.

- 3.10. Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.

- 3.11. Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a) more than 10m² of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b) friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

- 3.12. Prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for all activities related to works within the site. The plan must be prepared and implemented only by persons with Roads and Maritime Service accreditation for preparing and implementing traffic management plans at work sites.

The CTPMP must describe the proposed construction works, the traffic impacts on the local area and how these impacts will be addressed.

The CTPMP must address, but not be limited to, the following matters:

- Ingress and egress of construction related vehicles to the development site.
- Details of the various vehicle lengths that will be used during construction and the frequency of these movement.
- Use of swept path diagrams to demonstrate how heavy vehicles enter, circulate and exit the site or Works Zone in a forward direction.
- Deliveries to the site, including loading / unloading materials and requirements for work zones along the road frontage to the development site. A Plan is to be included that shows where vehicles stand to load and unload, where construction plant will stand, location of storage areas for equipment, materials and waste, locations of Work Zones (if required) and location of cranes (if required).
- Works Zones if heavy vehicles cannot enter or exit the site in a forward direction.
- Control of pedestrian and vehicular traffic where pre-construction routes are affected.
- Temporary Road Closures.

Where the plan identifies that the travel paths of pedestrians and vehicular traffic are proposed to be interrupted or diverted for any construction activity related to works inside the development site an application must be made to Council for a Road Occupancy Licence. Implementation of traffic management plans that address interruption or diversion of pedestrian and/or vehicular traffic must only take place following receipt of a Road Occupancy Licence from Council or the Roads and Maritime Service where on a classified road.

Where a dedicated delivery vehicle loading and unloading zone is required along the road frontage of the development site a Works Zone Application must be lodged and approved by Council. A minimum of 3 months is required to allow Traffic Committee endorsement and Council approval.

The Construction Traffic and Pedestrian Management Plan must be reviewed and updated during construction of the development to address any changing site conditions.

A copy of the Construction Traffic and Pedestrian Management Plan must be held on site at all times and be made available to Council upon request.

- 3.13. Submit to Council a completed *Notice of Intention to Commence Subdivision, Roads and Stormwater Drainage Works* form with supporting documentation prior to the commencement of any Subdivision Works Certificate works, Roads Act Works Approval works, or Section 68 Local Government Act Stormwater Drainage Works Approval works. These works are not to commence until a pre-commencement site meeting has been held with Council.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the

development only between the hours as follows:

- 7.00am and 5.00pm Monday to Saturday

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

- 4.3. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.

- 4.4. Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.

This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage).

- 4.5. Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the Roads Act 1993.
- 4.6. Demolish all buildings and / or building components in a safe and systematic manner in accordance with Australian Standard AS 2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.
- 4.7. Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan signed by KM Design Partners dated 4 March 2022.
- 4.8. While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.
- 4.9. While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

- 4.10. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

"relic" means any deposit, artefact, object or material evidence that:

- a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- b) is of State or local heritage significance; and

"Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. To ensure the protection of objects of potential sign.

- 4.11. Cease all excavation works if acid sulfate soils are identified until such time as details of mitigation and treatment measures are submitted to, and approved by, the Principal Certifier.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2. Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifier. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000* or *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (as appropriate).
- 5.3. Obtain a satisfactory plumbing and drainage final inspection in accordance with the requirements of the Plumbing and Drainage Act 2011.

This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage). This condition does not apply to swimming pool plumbing that does not physically connect / break into the sewer system.

- 5.4. Complete the building in accordance with the relevant provisions and requirements of the National Construction Code Series.
- 5.5. Complete the landscaping works in accordance with the approved Landscape Plan.

- 5.6. Plant a street tree on the road reserve. Provide an advanced specimen (minimum 25 litre pot size) that is to be evenly located and adequately staked / protected to prevent vandalism. The street tree must be native tree species capable of achieving a minimum height of 8m. Do not locate trees within an authority's underground service easement nor be closer than 3m from a power pole or driveway.
- 5.7. Erect a 1.8-metre-high fence along the length of the side and rear boundaries behind the building line.
- 5.8. Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.
- 5.9. Provide fold-away clothes lines for clothes drying purposes that must not extend above courtyard fencing.
- 5.10. Construct any additional civil works, where required by Council, to ensure satisfactory transitions to existing site formations and pavements where designs contained in the Roads Act Works Approval do not adequately address transition works.
- 5.11. Complete construction of the stormwater management system in accordance with the Stormwater Management Plan and Australian Standard AS 3500.3-*Stormwater drainage systems*. Certification of the construction by a suitably qualified consultant must be provided to the Principal Certifier.
- 5.12. Complete construction of all works within the road reserve in accordance with the Roads Act Works Approval. Completion of works includes the submission and acceptance by Council of all work as executed drawings plus other construction compliance documentation and payment of a maintenance/defects bond to Council in accordance with Council's Fees and Charges.
- 5.13. Repair any damage to Council's infrastructure and road reserve as agreed with Council. Damage not shown in the dilapidation report submitted to Council before the development works had commenced will be assumed to have been caused by the development works unless the Developer can prove otherwise.
- 5.14. Complete the civil engineering works within the development site in accordance with the detailed design drawings and design reports plans within the construction certificate.
- 5.15. Amend the Deposited Plan (DP) for lot 4 DP 654894 to:
 - 1) Include an Instrument under the *Conveyancing Act 1919* for the following restrictive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan. The plan and instrument must:

- Create a 'Restriction on the use of Land' over all lots containing an on-site stormwater detention system and / or a nutrient / pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility.
- 2) Include an instrument under the *Conveyancing Act 1919* for the following positive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Covenant(s) required:
- a) To ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that:
- i. the facility will remain in place and fully operational.
 - ii. the facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner.
 - iii. Council's officers are permitted to enter the land to inspect and repair the facility at the owner's cost.
 - iv. Council is indemnified against all claims of compensation caused by the facility.

Note: Standard wording, acceptable to Council, for covenants can be obtained by contacting Council Subdivision Certificate Officer.

Submit to the Principal Certifier copies of registered title documents showing the restrictive and positive covenants.

- 5.16. Construct the accesses and garages in accordance with Australian Standard AS2890.12004: *Parking facilities Off-street parking*. Certification of the construction of the accesses and garages by a suitably qualified consultant must be provided to the Principal Certifier.
- 5.17. Obtain the Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Occupation Certificate.

6. ONGOING

- 6.1. Maintain the site landscaping for the life of the development.
- 6.2. Operate and maintain all external lighting so as not to impact on any adjoining property.
- 6.3. Store all waste generated on the premises in a manner so that it does not pollute the environment.
- 6.4. Comply with all commitments as detailed in the Waste Management Plan signed by KM Design Partners dated 4 March 2022.
- 6.5. Place the mobile garbage / recycling / green waste containers at a suitable location at the kerbside no earlier than the evening prior to the collection day and return to a screened area

as soon as possible after service, no later than the evening on collection day. The residents, caretaker, owner, Owners Corporation are responsible for the placement and return of the mobile waste containers.

7. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a criminal offence. Failure to comply with other environmental laws may also be a criminal offence.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
 - a) Australia Post for the positioning and dimensions of mailboxes in new commercial and residential developments
 - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting

structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- Telecommunications Act 1997 (Commonwealth)
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

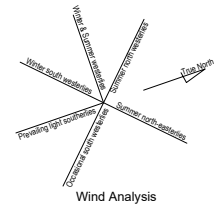
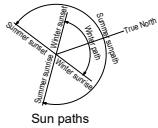
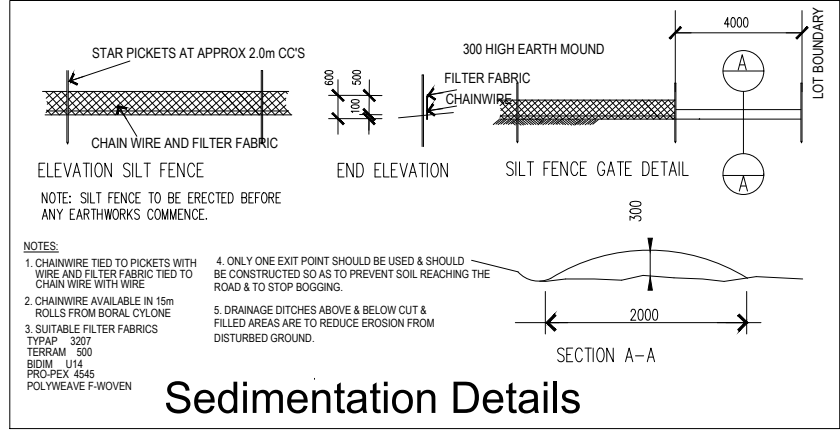
	Origin of Levels : SSM 159976 fd. Location : On Paul St & Ocean Beach Rd, Umina Beach. R.L. : 5.417m A.H.D.	revision	description	date	client	
					BASS DEVELOPMENTS	
These Drawings are for the express use of the intended recipient only. These drawings are not to be used / copied or forwarded to any unauthorised parties in part or whole without the express permission of Clarke Dowdle & Associates. Copyright and rights of use remain the property of Clarke Dowdle & Associates.						
		approved:	assessed:	drawn:	surveyed:	
			A.W.C.	R.G.	W.Q.	
		Registered Surveyor				

	Development Consultants surveyors - planners - ecologists - bushfire consultants H. D. S. C. A. R. S. T. R. E. E. T U. M. I. N. A. B. E. A. C. H. N. S. W. ph: 02 4344 3553 Fax: 02 4344 6636 email: admin@cds-surveys.com.au PO Box 3122 Umina NSW 2257
--	--

project:	#37 PAUL STREET, UMINA BEACH.
details:	Lot 22 in DP 26543
drawing:	PLAN SHOWING SPOT-LEVELS & DETAIL.

red. ratio:	1:200	datum:	A.H.D.
reference #Gc:	23761	ref. ext.:	
contour interval:	N/A	DA #:	
job date:	14/12/2020	number in set:	1 of 1
LOA:	CENTRAL COAST		
Parish:	PATONGA		
County:	NORTHERNBERLAND		

-all dimensions are in metres unless otherwise shown.
-check and confirm all areas & dimensions on site prior to the commencement of any works.
-do not scale from base of plan.
-preliminary boundary location has been undertaken only.
-if any construction is planned on or close to the boundaries further survey work will be required.
-a complete investigation of services has not been undertaken for this survey.
-services shown herein have been located by visible features only.
-tree trunk & height dimensions are approximate only.
-tree spreads are approximate only but have been drawn to scale.
-ridge& gutter levels displayed on buildings are approximate only.
-underground utility mains locations are provided by Council diagrams & are approx positions only.



Site Details

EASEMENTS	: NIL
RIGHT OF WAYS	: NIL
STORMWATER	TO BE PIPED TO COUNCILS DRAINAGE SYSTEM AS PER ENGINEERS DETAILING.
WATERWAYS	: NIL
WATER COURSES	: NIL
CUT & FILL	: NOTE TO RL
SEDIMENTATION CONTROL	APPROVED SILT FENCE TO BE ERECTED INSIDE DOWNSTREAM BOUNDARIES.
SAFETY FENCING	1.8m HIGH WIRE FENCE TO BE ERECTED ALONG BOUNDARIES OPEN TO PUBLIC.
TERMITE PROTECTION	COMBINATION OF PHYSICAL & CHEMICAL BARRIER TO BE INSTALLED

NOTE:
REFER TO ATTACHED LANDSCAPE PLAN FOR PLANT SCHEDULE.

LEGEND:

	DATUM POINT
	EXISTING BUILDING TO BE DEMOLISHED
	1800mm HIGH FENCE TO DETAIL
	EXISTING BOUNDARY FENCE
	LOG RETAINING WALLS AS SHOWN
	FEATURE RETAINING WALL AS SHOWN
	STORMWATER LINE
	EXCAVATION OF PLATFORM LEVEL
	DEEP EDGE BEAM
	SEDIMENTATION BARRIER
	EXCAVATED BANK
	EXISTING TREES TO REMAIN
	EXISTING TREES TO BE REMOVED
	GROUND FLOOR
	FIRST FLOOR
	ALFRESCO/PORCH

DRAWING SCHEDULE

NO.	DRAWING	ISSUE	DATE
100	SITE PLAN / SITE ANALYSIS	C	11/05/2022
110	SHADOW DIAGRAMS - 22 JUNE	C	11/05/2022
120	SHADOW DIAGRAMS - 22 MARCH/SEPTEMBER	C	11/05/2022
200	FLOOR PLANS	C	11/05/2022
300	SECTION AA & ELEVATIONS	C	11/05/2022
400	LANDSCAPE PLAN	C	11/05/2022

SITE ANALYSIS

SITE AREA	808.30m ²
LIVING AREAS	339.70m ²
GARAGES	95.72m ²
PRIVATE OPEN SPACE	198.60m ²

FSR = 0.42:1
PARKING SPACES = 5 SPACES

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issue	amendment	date	by

C	Development Application	11/05/2021
B	Development Application	22/04/2021
A	Preliminary	14/04/2021
Issue	Issued for	date

scale	date	drawn
1:200 @ A1	DEC 2020	GJS
project no.	drawing no.	issue
21-1396	100	C

drawing
Site Plan &
Site Analysis

project
Multi Dwelling Development
3 x Units

site
Lot 22 in DP 26543
37 Paul St, UMINA BEACH
client
Bass Developments Pty Ltd

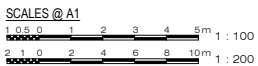
local authority
Central Coast Council

KM design partners
sustainable
building design

ABN 85 151 275 795

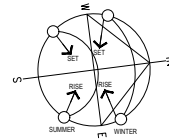
PO BOX 3014, UMINA BEACH, NSW, 2257
338 OCEAN BEACH RD, UMINA BEACH, NSW
ph: 02 4342 2721
email: admin@kmdp.design
web: www.knightmapleton.com.au
Accredited Building Designer No. 8137
Chartered Member No. 649-00 of

BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA



NOTE:
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2. LEVELS AND GROUND LINES SHOWN ARE APPROXIMATE ONLY.

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NOTE:
SHADOW PROJECTIONS CREATED BY SHADOWDRAW
SOFTWARE BASED ON SYDNEY CO-ORDINATES WITH A
PROPOSED LEVEL SITE.



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issue	issued for	date	
scale	date	drawn	
1:200 @ A1	DEC 2020	GJS	
project no.	drawing no.	issue	amend
21-1366	120	C	

drawing			
Shadow Diagrams			
22nd March/September			
as Noted			

as Noted	
project	
Multi Dwelling Development	
3 x Units	

site	Lot 22 in DP 26543 37 Paul St, UMINA BEACH
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client	Bass Developments Pty Ltd
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local authority
Central Coast Council

KM design partners
sustainable
building design

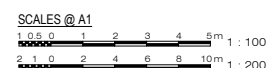
Km

ARN 85 151 275 795

PO BOX 3014, UMINA BEACH, NSW, 2257
358 OCEAN BEACH RD, UMINA BEACH, NSW
ph: 02 4342 2721
email: admin@kmdp.design
web: www.knightmapleton.com.au
Accredited Building Designer No. 6137
Chartered Member No. 649-00 of



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scale	date	drawn
1:200 @ A1	DEC 2020	GJS
project no.	drawing no.	issue
21-1396	110	c

Shadow Diagrams
22nd June as Noted

project
Multi Dwelling Development
3 x Units

site
Lot 22 in DP 26543
37 Paul St, UMINA BEACH
client
Bass Developments Pty Ltd

local authority
Central Coast Council

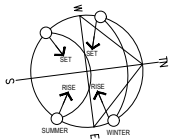
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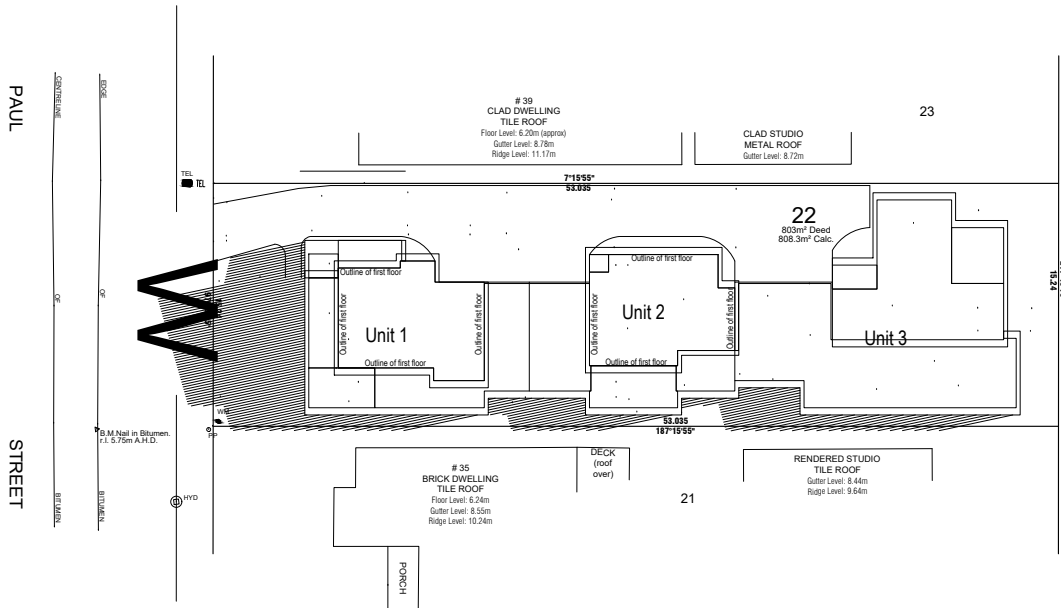
bda
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LEGEND

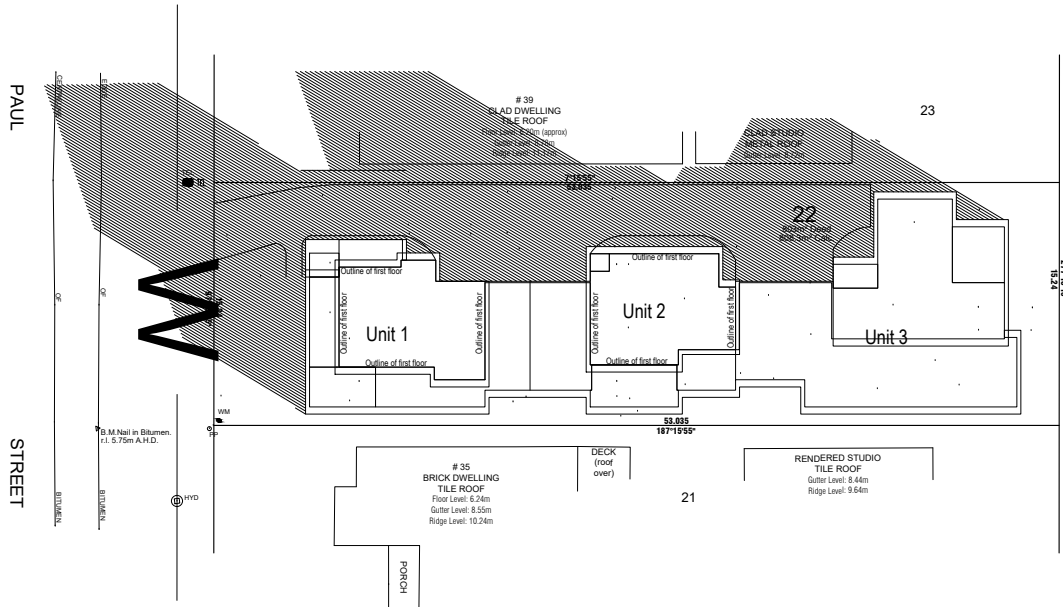
- Shadow at approx. ground level - 9:00am 22 June EST
- Shadow at approx. ground level - 12 noon 22 June EST
- Shadow at approx. ground level - 3:00pm 22 June EST



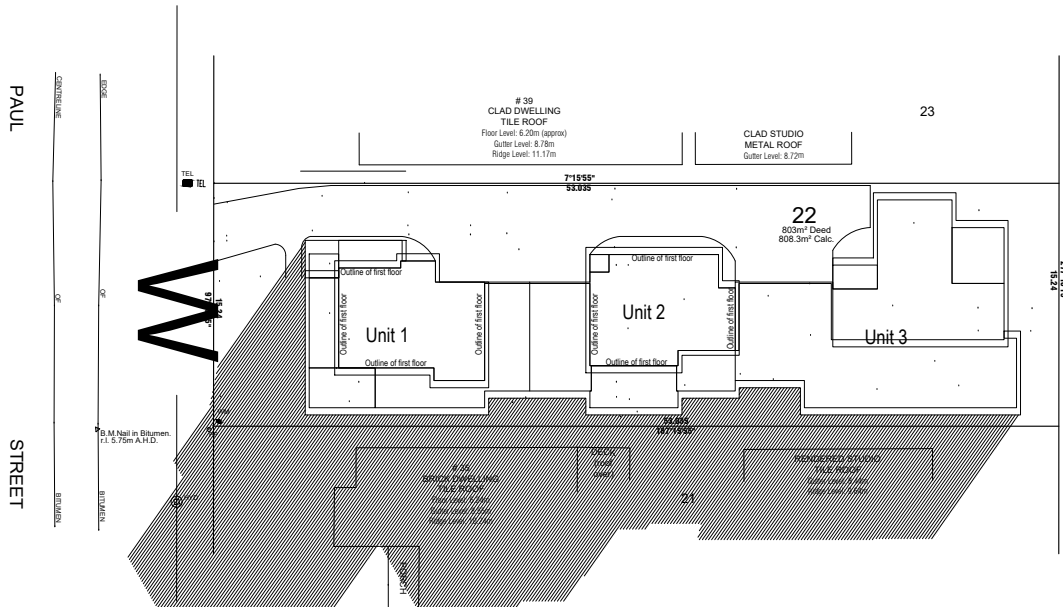
NOTE
SHADOW PROJECTIONS CREATED BY SHADOWWORKS
SOFTWARE BASED ON SYDNEY CO-ORDINATES WITH A PROPOSED LEVEL SITE.



12:00noon - 22 JUNE



9:00am - 22 JUNE



3:00pm - 22 JUNE

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SCALES @ A1



NOTE
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2. LEVELS AND GROUND LINES SHOWN ARE APPROXIMATE ONLY.



UNIT 1	
Grd Floor LIVING	67.47m ²
First Floor LIVING	50.23m ²
TOTAL LIVING	117.70m ²
GARAGE	36.57m ²
PRIVATE OPEN SPACE	63.45m ²

UNIT 2	
Grd Floor LIVING	62.75m ²
First Floor LIVING	49.33m ²
TOTAL LIVING	112.08m ²
GARAGE	24.35m ²
PRIVATE OPEN SPACE	50.08m ²

UNIT 3	
TOTAL LIVING	109.92m ²
GARAGE	34.80m ²
PRIVATE OPEN SPACE	85.08m ²

WINDOW SCHEDULE - UNIT 1

- Note: 1. Indicated window sizes and types are nominal only.
 2. Where required windows are to comply with the provisions of NCC 2019.
 3. Windows are to comply with the thermal requirements of the ABSA certificate.

Number	Location	Height	Width	Head	Glass	Frame	Type	Note
01	Kitchen	800	1800	1500	Single Clear	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
02	Ensuite	800	1200	2400	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
03	Bed 1	900	2400	2400	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
04	Living	2400	2100	2400	Single Clear	Aluminium	Sliding Door	Uw = 6.70; SHGCw = 0.70
05	Living	1200	3000	2400	Single Clear	Aluminium	Sliding	Uw = 6.60; SHGCw = 0.49
06	Stairs	3500	1200	2100	Single Clear	Aluminium	Fixed	Uw = 6.60; SHGCw = 0.49
07	Sitting	900	2400	2100	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
08	Bath	900	1800	2100	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
09	Bed 3	900	2400	2100	Single Clear	Aluminium	Sliding	Uw = 6.60; SHGCw = 0.49
10	Bed 2	600	2400	2100	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70

WINDOW SCHEDULE - UNIT 2

- Note: 1. Indicated window sizes and types are nominal only.
 2. Where required windows are to comply with the provisions of NCC 2019.
 3. Windows are to comply with the thermal requirements of the ABSA certificate.

Number	Location	Height	Width	Head	Glass	Frame	Type	Note
01	Kitchen	800	1200	1500	Single Clear	Aluminium	Fixed	Uw = 6.70; SHGCw = 0.70
02	WC	600	800	2400	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
03	Ensuite	600	600	2400	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
04	Bed 1	1200	2400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
05	Living	2400	2400	2400	Single Clear	Aluminium	Sliding Door	Uw = 6.70; SHGCw = 0.70
06	Living	1800	1800	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
07	Garage	2400	1800	2400	Single Clear	Aluminium	Sliding Door	Uw = 6.70; SHGCw = 0.70
08	Sitting	1200	2700	2100	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
09	Stairs	1200	2700	2100	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
10	Bed 2	800	2700	2100	Single Clear	Aluminium	Sliding	Uw = 6.60; SHGCw = 0.70
11	Bath	600	800	2100	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
12	Bed 3	900	2100	2100	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70

WINDOW SCHEDULE - UNIT 3

- Note: 1. Indicated window sizes and types are nominal only.
 2. Where required windows are to comply with the provisions of NCC 2019.
 3. Windows are to comply with the thermal requirements of the ABSA certificate.

Number	Location	Height	Width	Head	Glass	Frame	Type	Note
01	Living	1800	900	2400	Single Clear	Aluminium	Double Hung	Uw = 6.70; SHGCw = 0.70
02	Living	1800	800	2400	Single Clear	Aluminium	Double Hung	Uw = 6.70; SHGCw = 0.70
03	Living	1800	600	2400	Single Clear	Aluminium	Double Hung	Uw = 6.70; SHGCw = 0.70
04	Living	1800	600	2400	Single Clear	Aluminium	Double Hung	Uw = 6.70; SHGCw = 0.70
05	Living	2400	2700	2400	Single Clear	Aluminium	Slack Sliding Door	Uw = 6.70; SHGCw = 0.70
06	Kitchen	1500	2100	2400	Single Clear	Aluminium	Slack Sliding Door	Uw = 6.70; SHGCw = 0.70
07	Bed 1	900	2400	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70
08	Ensuite	600	1200	2400	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
09	Bath	600	1200	2400	Single Clear	Aluminium	Awing	Uw = 6.70; SHGCw = 0.70
10	Bed 2	900	2700	2400	Single Clear	Aluminium	Sliding	Uw = 6.60; SHGCw = 0.70
11	Bed 3	1200	1800	2400	Single Clear	Aluminium	Sliding	Uw = 6.70; SHGCw = 0.70

SCALES @ A1



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21-1396	200	c

Floor Plans

project
 Multi Dwelling Development
 3 x Units

site
 Lot 22 in DP 26543
 37 Paul St, UMINA BEACH

client
 Bass Developments Pty Ltd

local authority
 Central Coast Council

KM design partners

sustainable building design

ABN 85 151 275 795

PO BOX 3014, UMINA BEACH, NSW, 2257

383 OCEAN BEACH RD, UMINA BEACH, NSW

ph: 02 4342 2721

email: admin@kmpdesign.com.au

web: www.knightmapleton.com.au

Accredited Building Designer No. 8197

Chartered Member No. 649-10 of

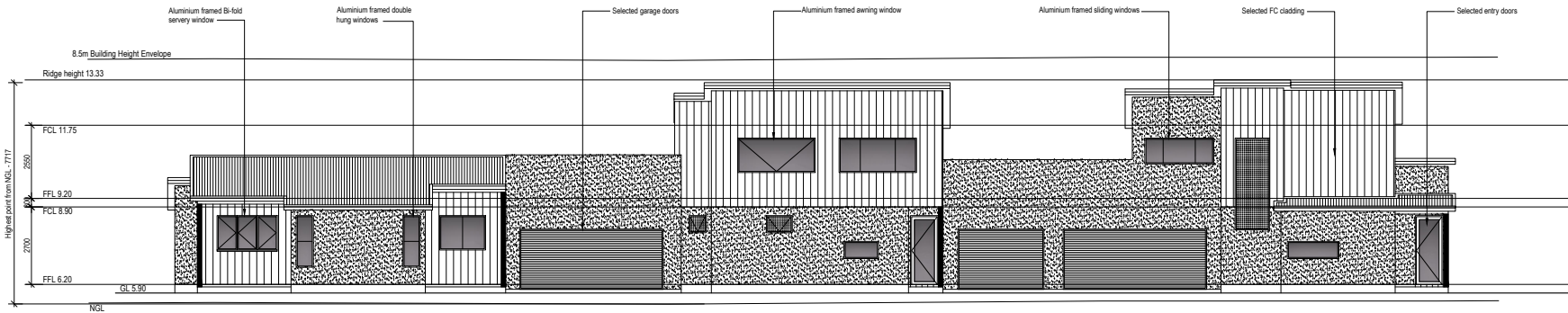
bda

BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

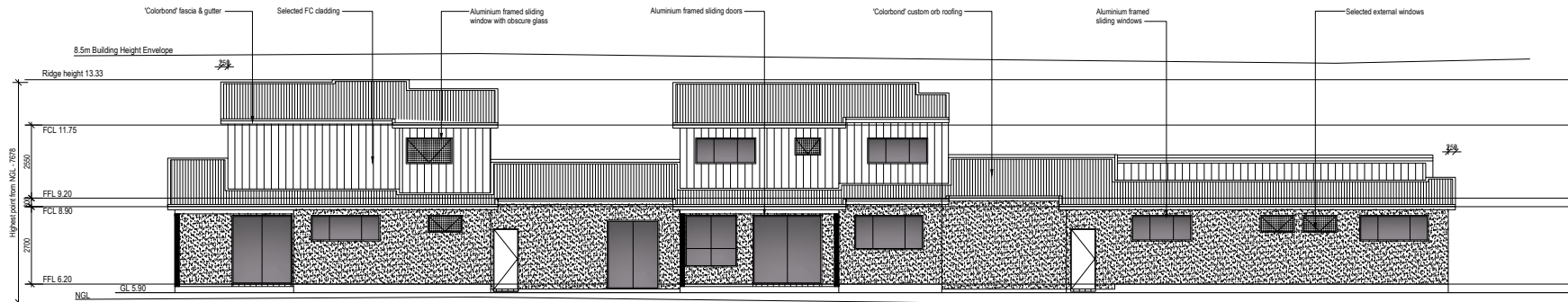
SELECTED CLADDINGS:	
James Hardie Acorn™ Cladding - 200mm Smooth	
James Hardie™ Fine Texture Cladding™	
Selected Face Brick	

37 Paul Street Umina Beach	
SUMMARY OF BASIC COMMITMENTS FOR EACH UNIT	
This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the CURRENT BASIX Certificate for complete details. For definitions refer to basic.nsw.gov.au	
WATER COMMITMENTS	
Fixtures	
3 Star Shower Heads	Yes
3 Star Kitchen / Basin Taps	Yes
3 Star Toilet	Yes
Alternative Water	
Minimum Tank Size (L)	3000 [Collected from Roof Area (m2)]
Tank Connected To:	
All Toilets	Yes
One Outdoor Tap	Yes
Laundry W/M Cold Tap	Yes
THERMAL COMFORT COMMITMENTS - Refer to TPA Specification on plans	
ENERGY COMMITMENTS	
Hot Water	Gas instantaneous 5 Star
Cooling System	Living 1 Phase A/C Zoned 2 Star Bedrooms 1 Phase A/C Zoned 2 Star
Heating System	Living 1 Phase A/C Zoned 2 Star Bedrooms 1 Phase A/C Zoned 2 Star
Ventilation	1 x Bathroom Fan ducted to exterior Manual on/off Kitchen Fan ducted to exterior Manual on/off Laundry Natural ventilation N/A
Natural Lighting	Window/Skylight in Kitchen Yes Window/Skylight in Bathrooms/Toilets As drawn
Artificial Lighting	Number of bedrooms All Dedicated 1 Yes Number of Living/Dining rooms All Dedicated Yes
Rooms to be primarily lit by fluorescent or LED lights	Kitchen Yes Dedicated Yes All Bathrooms/Toilets Yes Dedicated Yes Laundry Yes Dedicated Yes All Hallways Yes Dedicated Yes
OTHER COMMITMENTS	
Out & Indoor clothes line	Yes
Ventilated refrigerator space	Yes
Stove/Oven	Gas cooktop & electric oven
Alternative Energy	N/A

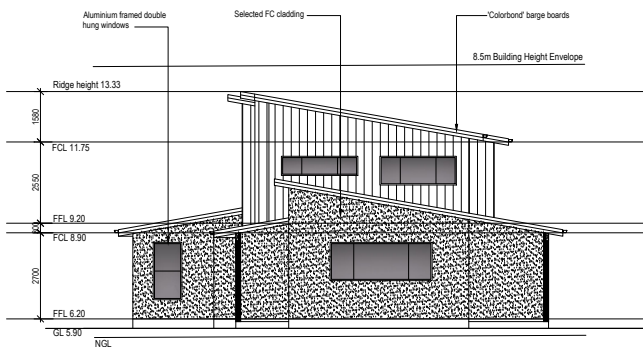
February 2022	BSA Reference: 17061
Building Sustainability Assessments enquires@buildingsustainability.net.au	PH: (02) 4982 3439 www.buildingsustainability.net.au
Important Note The following specification was used to achieve the thermal performance values indicated on the Assessment Certificate. If the proposed construction varies to those detailed below then the Assessor and NATHERS certificates will no longer be valid. Assessments assume that the BCA provisions for building sealing & ventilation are complied with at construction. In NSW both BASIX & the BCA variations must be complied with, in particular the following: - Thermal construction in accordance with Vol 1 Section J1.2 or Vol 2 Part 3.12.1.1 - Thermal losses for Class 1 dwellings in accordance with Part 3.12.1.2(a) & 3.12.1.4(a) - Floor insulation for Class 1 dwellings as per Part 3.12.1.5(a)(i) (a) & (ii) or (c) (a) & (b) - Building sealing in accordance with Section J1 or Part 3.12.1.1 to 3.12.1.6 Thermal Performance Specifications (does not apply to garage)	
External Wall Construction Added insulation R2.0 Brick Veneer & Lightweight	
Internal Wall Construction Added insulation R2.0 to walls adjacent to garage Plasterboard on studs	
Ceiling Construction Added insulation R0.5 to ceilings adjacent to roof space Plasterboard	
Floor Construction Added insulation R0.5 to floors adjacent to garage Concrete	
Windows Glass and frame type U value SHGC Range Area sq m Performance glazing Type A 4.50 0.45 - 0.55 to U1 Performance glazing Type B 4.50 0.55 - 0.67 to U1 & 2 Performance glazing Type C 4.50 0.65 - 0.75 to U2 & 3 Performance glazing Type D 4.50 0.53 - 0.65 to U2 & 3 Type A windows are double hung windows, sliding windows & doors, fixed windows, slider doors, louvers Type B windows are double hung windows, sliding windows & doors, fixed windows, slider doors, louvers Type C windows are double hung windows, sliding windows & doors, fixed windows, slider doors, louvers Type D windows are double hung windows, sliding windows & doors, fixed windows, slider doors, louvers	
Skylights Glass and frame type U SHGC Area sq m Detail U and SHGC values are according to AFRAC. Alternate products may be used if the U value is lower & the SHGC is within the range specified. Shade elements (awnings, verandahs, eaves etc) All shade elements modelled as drawn Ceiling Penetrations (downlights, exhaust fans, fans etc) Modelled as drawn and sealed to requirements of the BCA Cladding is modelled at 150mm. No insulation losses from downlighting have been modelled.	
Additional Notes N/A	



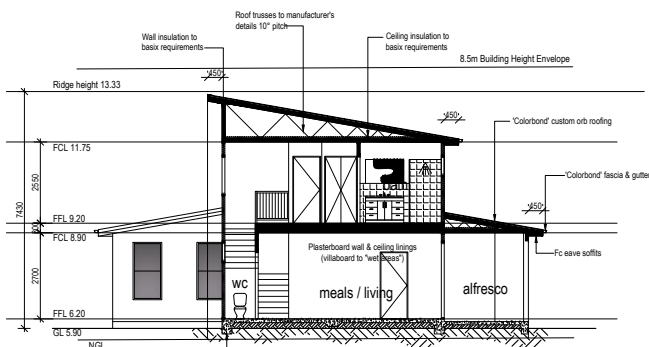
West Elevation



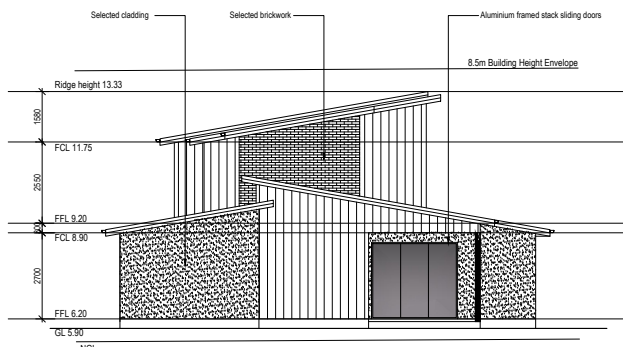
East Elevation



South Elevation



Section A-A



North Elevation

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issue	amendment	date	by

C	Development Application	11/05/2022
B	Development Application	22/04/2021
A	Preliminary	14/04/2021
Issue	Issued for	date

scale	date	drawn	
1:100 @ A1	DEC 2020	GJS	
project no.	drawing no.	issue	amend
21-1396	300	C	

drawing
Elevations as Noted & Section AA

project
Multi Dwelling Development
3 x Units

site
Lot 22 in DP 26543
37 Paul St, UMINA BEACH
client
Bass Developments Pty Ltd

local authority
Central Coast Council

KM design partners
sustainable building design
KM
ABN 85 151 275 795
PO BOX 3014, UMINA BEACH, NSW, 2257
388 OCEAN BEACH RD, UMINA BEACH, NSW
ph: 02 4342 2721
email: admin@kmdp.design
web: www.knightmapleton.com.au
Accredited Building Designer No. 8197
Chartered Member No. 649-10 of

bda
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ASSOCIATION OF AUSTRALIA

SCALES @ A1



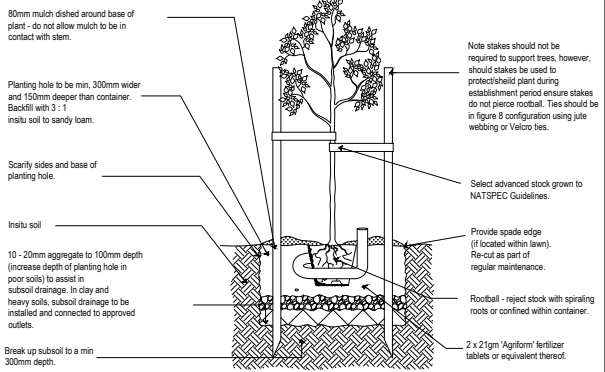
NOTE:
1. ALL LEVELS INDICATED ARE TO AHD.
2. LEVELS AND GROUND LINES SHOWN ARE APPROXIMATE ONLY.

NOT FOR CONSTRUCTION

MAINTENANCE SCHEDULE

TEMS	MONTHS AFTER PLANTING					
	1	2	3	4	5	6
WATERING FREQUENCY	Week 1- Daily. Thereafter- 3x a week.	1x week (up to 3 x a week in sandy soils)	Weekly During periods of drought or unseasonably high temps. - increase up to 3 x a week (restrict to cooler times of day, preferably a.m.)			
PEST & FUNGI CONTROL	NOTE: Installation of an irrigation system is advised. To be installed by a qualified irrigation specialist and to comply with all Water Board Standards. Check weekly Inspect monthly and when known seasonal outbreaks would normally occur - also if plant appears stressed. Treat with suitable pesticide/fungicide in accordance with manufacturers instructions (seek advice if uncertain of required treatment).					
WEED CONTROL	On a regular monthly basis. Remove manually from garden beds or, (with care) use a suitable herbicide. Lawns and sealed surfaces - use an appropriate herbicide to manufacturers instructions.					
PLANT REPLACEMENT	Where the select species has not adapted to the site or has been damaged. When a plant appears to be stressed, diseased or infected with a virus and beyond recovery - replace with the same or more suitable species (seek advice - council may need to be advised).					
FERTILISER APPLICATION	Nil for first three months Bi-Annual application of BLOOD & BONE(natives) or Dynamic Lifter (exotics) tablets applied during planting at manufacturers recommended rates.					
MULCH REPLACEMENT	Annually, to minimum depth of 75mm. Check mulch is not in direct contact with plant stems/trunks.					
HARD LANDSCAPE MAINTENANCE	Concrete and paved surfaces - check quarterly for weeds - use a suitable herbicide to remove. Timber edgings - check for splits or damaged timbers. Check edging is affixed to pegs.					
EXISTING VEGETATION	Monthly checks on existing vegetation to ascertain any stress from recent development works. Procure advice from a qualified arborist, if a change in trees health and vigour is noted or if there is a noted increase in pest or diseases.					

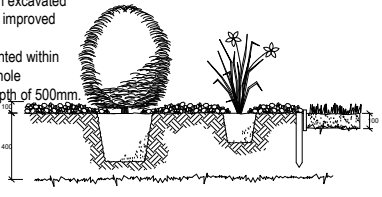
DETAIL: TREE PLANTING FOR ADVANCED STOCK






Not to Scale

1. Excavate beds to 400mm.
2. Backfill bed with excavated soil mixed with an improved garden loam.
3. Trees to be planted within beds are to have hole excavated to a depth of 500mm.

TYPICAL DETAIL: PLANTED BEDS



LANDSCAPE LEGEND

PLANT TYPE	No.	Code	Botanical Name	Common Name	Flt. Height	Flower	Colour	Type	
Trees									
1	EW	Euodia	Euodia	Scrubby	30 to 40	yes	yes	white	evergreen
	BS	Banksia	Serrata	Sav Banksia	30 to 40	yes	yes	yellow	deciduous
	WF	Wymannopteryx	Parviflora	Native Ylang-ylang	30 to 40	yes	yes	yellow	deciduous
	SP	Schizocladia	Parviflora	Yellow Acacia	30 to 40	yes	yes	yellow	deciduous
	TK	Cupanopsis	Acanthodes	Cherry Tree	30 to 40	yes	yes	pink	deciduous
Bushes									
	GA	Gordonia	Australis	Gordonia	25 to 30	no	yes	white	evergreen
	DV	Diosma	Vulgare	Diosma	25 to 30	no	yes	white	evergreen
	CA	Callistemon	Acuminatus	Bottlebrush	25 to 30	yes	yes	red	evergreen
	MP	Muraya	Paniculata	Orange Jasmine	25 to 30	yes	yes	white	evergreen
	CS	Canella	Sassaqua	Sassaqua Canella	25 to 30	yes	yes	pink / white	evergreen
	GP	Gardenia	Florida	Gardenia	25 to 30	yes	yes	cream	perennial
	SA	Syzygium	Australis	Lily Pili	25 to 30	yes	yes	white	evergreen
	AI	Acacia	Indica	Acacia	25 to 30	yes	yes	pink / red	evergreen
	DC	Diosma	Grandiflora	Wild Iris	25 to 30	yes	yes	white	perennial
	GB	Grevillea	Banksia	Banksia Grevillea	25 to 30	yes	yes	cream / red	evergreen
	CA	Callistemon	Acuminatus	Bottlebrush	25 to 30	yes	yes	red	evergreen
	Ferns								
DA	Dicksonia	Antarctica	Soft Tree Fern	150mm	7	yes	no	yes	evergreen
	Dryopteris	Flexilis	Male Fern	100mm	0.6	yes	no	yes	perennial
	Adiantum	Australianum	Black Neck Fern	150mm	0.6	yes	no	yes	evergreen
Palms									
AA	Archontophoenix	Alexandrinae	Alexander Palm	300mm	16	yes	no	pink / white	evergreen
	Arethusa	Romanae	Queen Palm	300mm	12	yes	no	yes	evergreen
Ground Cover									
JC	Juniperus	Conferta	Japanese Shrub Juniper	200mm	0.3	no	no	yes	evergreen
	Azalea	Retorta	Crested Rock	200mm	0.3	yes	yes	blue	perennial
	Blechnum	Multistria	Black Cat Daisy	200mm	0.3	yes	yes	blue	perennial
Turf									
			Turf - Buffalo cv						
Paving									
			SELECTED DECORATIVE CONCRETE						
Rubble									
			CRUSHED ROCK PAVING						

LANDSCAPE SPECIFICATION

SOIL
ENSURE MIN. 300MM ANL ORGANIC GARDEN MIX OR EQUIVALENT TO ALL PLANTED AREAS.

FERTILIZER
APPLY DYNAMIC LIFTER TO ALL PLANTED AREAS AT A RATE OF 200 GAL/SQ METER

MULCHING:
Spread mulch evenly to a depth of 75mm to all garden bed areas as shown on drawings and rake to a smooth finish flush with the surrounding finishes.
Mulch shall be free from soil, weeds, vermin insects and other foreign materials.

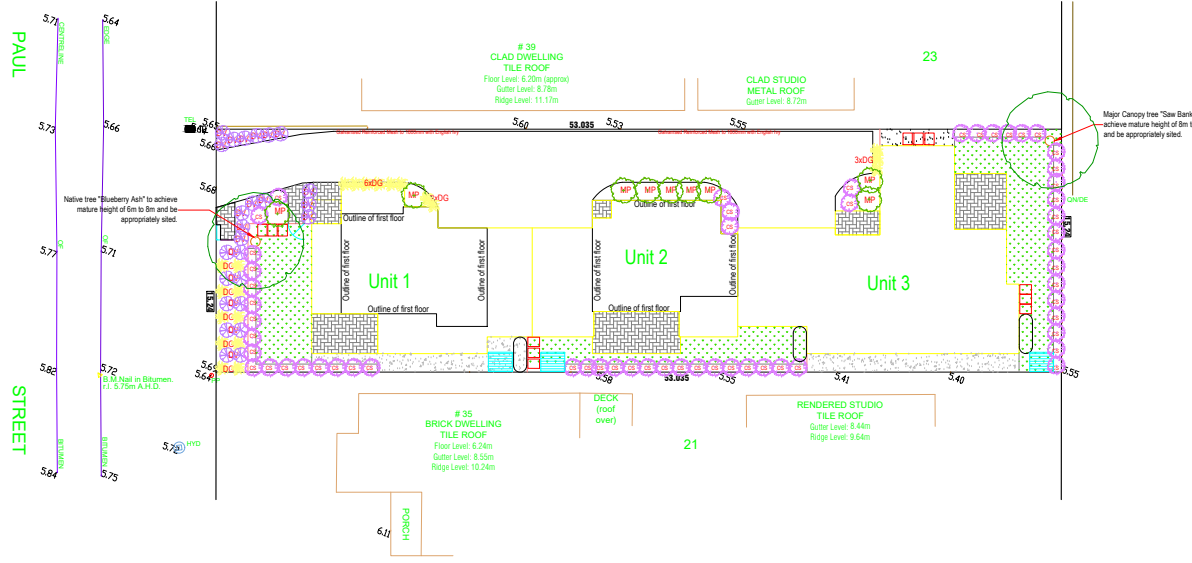
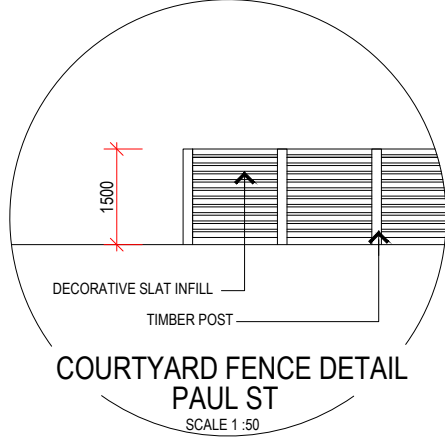
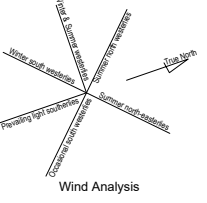
STAKING AND TYING:
All stakes shall be durable hardwood sharpened to a point at one end and free from knots and twigs.
Trees to be staked as required.
15 Litre to 35 Litre: 25 x 25 x 1500mm, 2 stakes per plant
45 Litre to 100 Litre: 38 x 38 x 1500mm, 2 stakes per plant
Trees shall be 50mm wide hessian webbing.

Notes:
* All dimensions to be checked on site and confirmed by the site supervisor before commencement of works.
* Locations and levels of walls are indicative only, final site levels to be determined on site.
* Do not scale from drawings. Dimensions take preference.
* Contractor to confirm location of all underground services before commencement.
* Landscape Plans to be read in conjunction with building designers documentation.
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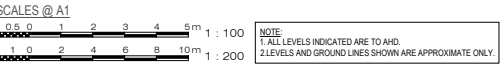
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issue	amendment	date	by



C	Development Application		11/05/2021
B	Development Application		22/04/2021
A	Preliminary		14/04/2021
Issue	Issued for		date
scale	date	drawn	
1:200 @ A1	DEC 2020	GJS	
project no.	drawing no.	issue	amend
21-1396	400	C	
drawing	Landscape Plan		
project	Multi Dwelling Development 3 x Units		
site	Lot 22 in DP 26543 37 Paul St, UMINA BEACH		
client	Bass Developments Pty Ltd		
local authority	Central Coast Council		
<div><div><div>KM design partners</div><div>sustainable building design</div><div></div></div><div>ARN 65 151 275 795</div><div>PO BOX 3014, UMINA BEACH, NSW, 2257 358 Ocean Beach Rd, UMINA BEACH, NSW ph: 02 4362 2721 email: admin@kmdp.design web: www.knightmapleton.com.au</div><div>Accredited Building Designer No. 6137 Chartered Member No. 649-00 of</div><div></div><div>BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA</div></div>			



NOT FOR CONSTRUCTION

Assessor Certificate

Multiple Dwellings

Assessed and issued in accordance with the BASIX Thermal Comfort Protocol for the Simulation Method



Building Sustainability Assessments

Date:	3 March 2022		BSA File ref:	17061	
Assessor					
Name:	Gavin Chambers	Company:	Building Sustainability Assessments	Assessor #:	DMN/13/1491
Address:	7 William Street, HAMILTON NSW 2303				
Phone:	(02) 4962 3439		Email:	enquiries@buildingsustainability.net.au	
Declaration of interest in the project design:			None		
Project					
Address:	37 Paul Street				
	UMINA BEACH NSW 2257			Climate Zone:	15
Assessment					
Software:	BERS Pro 4.4	Ceiling fans used in the modelling:	Living areas: None, Bedrooms: None		
Documentation					

All details, upon which this assessment has been based, are included in the project documentation that has been stamped and signed by the Assessor issuing this certificate, as identified below:

Drawings used for this assessment:


(Title, Ref.#, Revision, Issue date, etc)

KM design partners project no. 21-1396 07/02/2021 C

Thermal Performance Specification (copy on page 2)

Attached to the drawings and is on page: 300



Scan QR code to see NatHERS Certificate 

[illegible]



February 2022		BSA Reference: 17061			
Building Sustainability Assessments		Ph: (02) 4962 3439			
enquiries@buildingsustainability.net.au		www. buildingsustainability.net.au			
Important Note					
The following specification was used to achieve the thermal performance values indicated on the Assessor Certificate. If the proposed construction varies to those detailed below than the Assessor and NatHERS certificates will no longer be valid. Assessments assume that the BCA provisions for building sealing & ventilation are complied with at construction.					
In NSW both BASIX & the BCA variations must be complied with, in particular the following:					
- Thermal construction in accordance with Vol 1 Section J1.2 or Vol 2 Part 3.12.1.1					
- Thermal breaks for Class 1 dwellings in accordance with Part 3.12.1.2(c) & 3.12.1.4(d)					
- Floor insulation for Class 1 dwellings as per Part 3.12.1.5(a)(ii), (iii) & (e) or (c), (d) & (e)					
- Building sealing in accordance with Section J3 or Part 3.12.3.1 to 3.12.3.6.					
Thermal Performance Specifications (does not apply to garage)					
External Wall Construction		Added Insulation			
Brick Veneer & Lightweight		R2.0			
Internal Wall Construction		Added Insulation			
Plasterboard on studs		R2.0 to walls adjacent to garage			
Double brick (party walls)		None			
Ceiling Construction		Added Insulation			
Plasterboard		R3.5 to ceilings adjacent to roof space			
Roof Construction	Colour (Solar Absorptance)	Added Insulation			
Metal	Any	Foil + R1.0 blanket			
Floor Construction	Covering (if not noted default values used)	Added Insulation			
Concrete	As drawn	None			
Timber	As drawn	R2.0 to floors adjacent to garage			
Windows	Glass and frame type	U value	SHGC Range	Area sq m	
Performance glazing Type A		4.50	0.45 - 0.55	to U1	
Performance glazing Type B		4.50	0.55 - 0.67	to U1	
Performance glazing Type A		4.80	0.46 - 0.56	to U2 & 3	
Performance glazing Type B		4.80	0.53 - 0.65	to U2 & 3	
Type A windows are awning windows, bifolds, casements, tilt 'n' turn' windows, entry doors, french doors					
Type B windows are double hung windows, sliding windows & doors, fixed windows, stacker doors, louvres					
Skylights	Glass and frame type	U	SHGC	Area sq m	Detail
U and SHGC values are according to AFRC. Alternate products may be used if the U value is lower & the SHGC is within the range specified					
Shade elements			(eaves, verandahs, awnings etc)		
All shade elements modelled as drawn					
Ceiling Penetrations			(downlights, exhaust fans, flues etc)		
Modelled as drawn and/or to comply with the ventilation and sealing requirements of the BCA					
Ducting is modelled at 150mm. No insulation losses from downlighting have been modelled.					
Additional Notes					
Nil					

BASIX[®]Certificate

Building Sustainability Index www.basix.nsw.gov.au

Multi Dwelling

Certificate number: 1198892M_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

This certificate is a revision of certificate number 1198892M lodged with the consent authority or certifier on 28 June 2021 with application DA62203/2021.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Schedule 1 Clause 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Secretary

Date of issue: Thursday, 03 March 2022

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,
Industry &
Environment

Project summary

Project name	17061_02
Street address	37 Paul Street Umina Beach 2257
Local Government Area	Central Coast Council
Plan type and plan number	deposited 26543
Lot no.	22
Section no.	-
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	3
No. of single dwelling houses	0

Project score

Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 50	Target 50

Certificate Prepared by



(ABN: 27 131 950 064)




Ph: 02 4962 3439

Email: enquiries@buildingsustainability.net.au

Revision of Certificates not lodged within 3 months of the date of issue will incur further BASIX issuing fees.

Description of project

Project address	
Project name	17061_02
Street address	37 Paul Street Umina Beach 2257
Local Government Area	Central Coast Council
Plan type and plan number	deposited 26543
Lot no.	22
Section no.	-
Project type	
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	3
No. of single dwelling houses	0
Site details	
Site area (m ²)	808
Roof area (m ²)	440
Non-residential floor area (m ²)	-
Residential car spaces	5
Non-residential car spaces	-

Common area landscape	
Common area lawn (m ²)	0.0
Common area garden (m ²)	12.0
Area of indigenous or low water use species (m ²)	-
Assessor details	
Assessor number	DMN/13/1491
Certificate number	0005982320
Climate zone	15
Ceiling fan in at least one bedroom	No
Ceiling fan in at least one living room or other conditioned area	No
Project score	
Water	<div>  40 Target 40 </div>
Thermal Comfort	<div>  Pass Target Pass </div>
Energy	<div>  50 Target 50 </div>

Description of project

The tables below describe the dwellings and common areas within the project

Multi-dwelling houses

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
1	3	111.0	7.0	69.0	-

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
2	3	105.0	8.0	42.0	-

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
3	3	100.0	8.0	62.0	-

No common areas specified.

Schedule of BASIX commitments

1. Commitments for multi-dwelling houses

(a) Dwellings

- (i) Water
- (ii) Energy
- (iii) Thermal Comfort

2. Commitments for single dwelling houses

3. Commitments for common areas and central systems/facilities for the development (non-building specific)

- (i) Water
- (ii) Energy

Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

1. Commitments for multi-dwelling houses

(a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install:			
(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and		✓	✓
(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓	✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	3 star	3 star	3 star	-	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 3000.0 litres	To collect run-off from at least: 30.0 square metres of roof area;	yes	yes	yes	-	-
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	
(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.	✓	✓	✓

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 6 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
2	1-phase airconditioning 2 Star (old label) (zoned)	1-phase airconditioning 2 Star (old label) (zoned)	1-phase airconditioning 2 Star (old label) (zoned)	1-phase airconditioning 2 Star (old label) (zoned)	3 (dedicated)	2 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	3	yes
All other dwellings	1-phase airconditioning 2 Star (old label) (zoned)	1-phase airconditioning 2 Star (old label) (zoned)	1-phase airconditioning 2 Star (old label) (zoned)	1-phase airconditioning 2 Star (old label) (zoned)	3 (dedicated)	2 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	2	yes

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & electric oven	-	yes	-	-	-	yes	yes

Alternative energy	
Dwelling no.	Photovoltaic system (min rated electrical output in peak kW)
All dwellings	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must: (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Dwelling no.	Thermal loads	
	Area adjusted heating load (in mJ/m ² /yr)	Area adjusted cooling load (in mJ/m ² /yr)
1	53.9	30.3
2	50.4	31.6
All other dwellings	49.4	18.4

Dwelling no.	Construction of floors and walls				
	Concrete slab on ground(m²)	Suspended floor with open subfloor (m²)	Suspended floor with enclosed subfloor (m²)	Suspended floor above garage (m²)	Primarily rammed earth or mudbrick walls
1	69	-	-	19	No
2	63	1	-	-	No
All other dwellings	108	-	-	-	No

3. Commitments for common areas and central systems/facilities for the development (non-building specific)**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	3 star	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

Notes

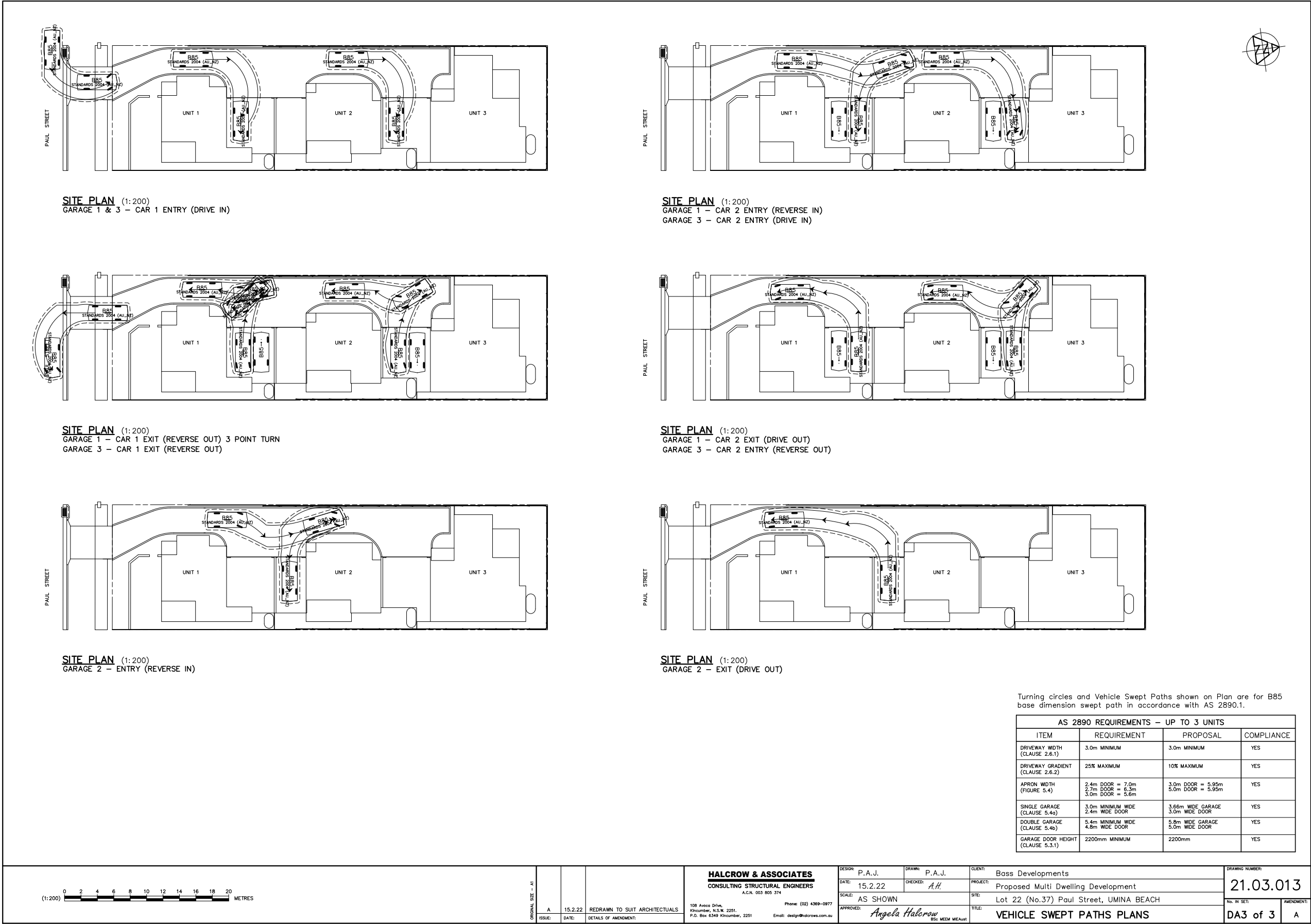
1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

Legend

1. Commitments identified with a "✔" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✔" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✔" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).







2103013A

WATER CYCLE MANAGEMENT PLAN

FORMER GOSFORD DCP CHAPTER 6.7 – WATER CYCLE MANAGEMENT
ON SITE DETENTION AND NUTRIENT CONTROL

PLAN PREPARED FOR:
BASS DEVELOPMENTS
37 PAUL STREET
UMINA BEACH

PLAN PREPARED BY:

Angela Halcrow BSc MEEM MIEAust CPENG

DATE: 18th February 2022

HALCROW & ASSOCIATES PTY LTD

CONSULTING CIVIL AND STRUCTURAL ENGINEERS
P.O BOX 6349 KINCUMBER
PHONE 43690977

This plan has been prepared to address the requirements of former GCC DCP Chapter 6.7 Water Cycle Management for the development project at 37 Paul Street Umina Beach.

PURPOSE

GCC DCP Chapter 6.7, Water Cycle Management aims to facilitate the application of water sensitive urban design to manage and restore the water balance, reduce risk to life and damage due to flooding, reduce potable water use and protect and enhance natural water systems.

The development at 37 Paul Street Umina Beach is a proposed multi unit development and is required to address the following components of the DCP.

- Water conservation
- Retention
- Stormwater Quality
- On site detention
- Local Overland drainage
- Flooding

The development area of the site is less than 2000 square metres and therefore the deemed to comply solutions may be used.

The following information is provided to support compliance with the above requirements.

WATER CONSERVATION

The water conservation aspects of this development is covered by Basix requirements.

WATER RETENTION

The intent of the water retention target is to mimic the natural catchment hydrology form development sites in terms of Quantity (Volume), Rate (Peak flow) and Response (time it takes for rain to run off the site).

Using the deemed to comply requirements of DCP Chapter 6.7 the required retention volume is estimated as follows:

$$V = 0.01A(0.02F)^2 = 0.01 \times 808.25 (0.02 \times 76)^2$$

Retention required using this method is 18.67 cubic metres.

Rainwater Reuse.

The proposed development is a residential development therefore the guidelines in the DCP can be used to estimate rainwater reuse.

Rainwater reuse based on the deemed to comply formula is as follows:

Reuse for toilet, laundry and landscape watering yields 50% of the 35l/sq metre weekly use rate.

Reuse volume weekly is $35 \times 0.5 \times 438.8 = 7680$ litres

Rainwater tanks totaling a minimum of 8000 litres are required for the site. A total of 13612 litres is proposed.

The rainwater reuse is not sufficient to meet the total retention required on the site and an infiltration trench is required. The required retention in an infiltration trench and alternative storage is $(18.7 - 7.1) = 11$ cubic meters using the deemed to comply method

An infiltration trench is proposed in the front landscaping to provide the required on site detention. This trench has a storage capacity of 6.64 cubic metres with a 30 minute infiltration volume estimated to be 7 cubic metres. This exceeds the total site retention required under DCP 6.7 deemed to comply calculations.

STORMWATER QUALITY TARGET

All stormwater from the proposed development area will pass through either the rainwater tank or the infiltration trench. The site discharge index is therefore 0.00 which complies with Councils maximum allowable SDI= 0.1

Flows from the rainwater tank system will overflow to infiltration trenches.

ON SITE DETENTION

In accordance with Section 6.7.7.4.3 of the GCC DCP On site detention (OSD) is required to be provided in conjunction with this development.

The usual requirements for OSD relate to storms of 5 year to 100 year average recurrence interval.

The site located within the Woy Woy rainfall area. Although the site previously contained a residence, outbuildings and pavements under the requirements of DCP 6.7 runoff post development is required not to exceed the undeveloped (grassed) runoff.

In accordance with the DCP requirement it is proposed to provide on-site detention of stormwater to limit post development peak flows from the site to the pre development peak flows for storm events up to and including the 1% AEP storm event.

The proposed detention system has been modelled using a runoff routing model, "Drains". Woy Woy rainfall data (1987 ARR) with a soil type of 1 and antecedent moisture content of 3 was used for modelling purposes.

The onsite detention system has been modelled as a tank system including the credit from the rainwater tanks and the infiltration storage and surface storage within driveway pavements. Infiltration rates through the trench are modelled using a small diameter orifice. These flows are not included in the reported flow rates because the water is retained on site and does not flow to Councils stormwater system. Orifice controls are required to control the infiltration storage system and the surface storage system to ensure that small storms have adequate detention and larger storms are not overly detained.

This model predicts that stormwater flow to the drainage system will be less than or equal to the predeveloped flows for peak storms of recurrence intervals from 5 to 100 years.

ON-SITE DETENTION STORAGE CALCULATIONS

Site Area 808.25 sq metres

Pre-Development Parameters

The site falls towards a local depression within the site, tc of the order of 8 minutes

Post-Development

Total 616.13 square metres (76% impervious)

Detention Storage

Rainwater Tank - Minimum 7.7 cubic metres, 13.6 cubic metres provided
6.8 cum credit claimed

Infiltration trench Storage (27 double cells) 6.64 cubic metres

Surface storage inclusive of pits 11.86 cubic metres

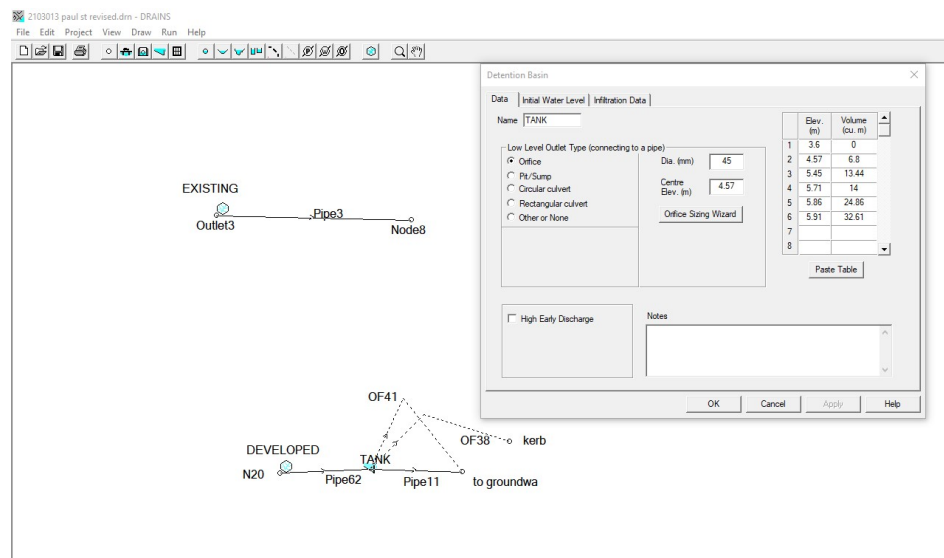
Total Detention Storage - 24.86 cubic metres inclusive of pits

Total storage on site 21.6 cubic metres

Model Results

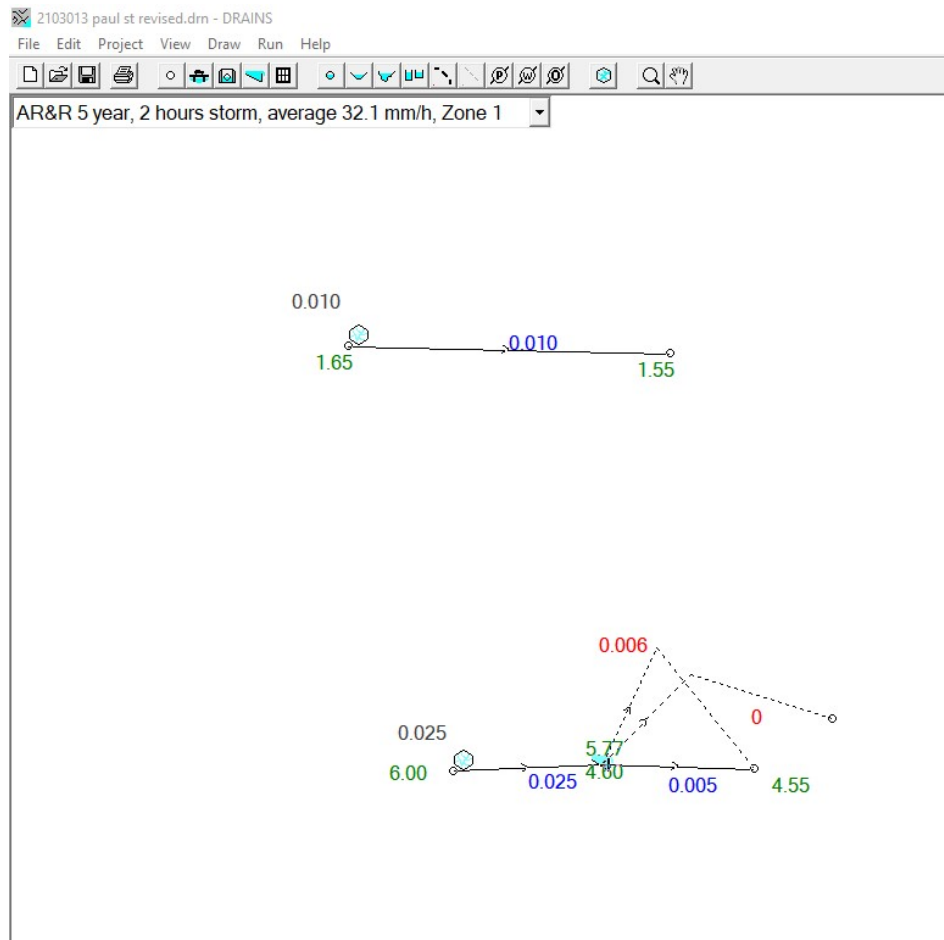
The existing and proposed system has been modelled using run off routing software (Drains) based on an IIsax model (ARR1987 method and rainfall used). Storms for each recurrence interval of durations ranging from 5 minutes to 2 hours were modelled.

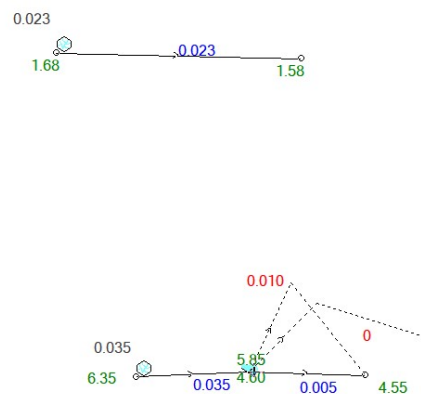
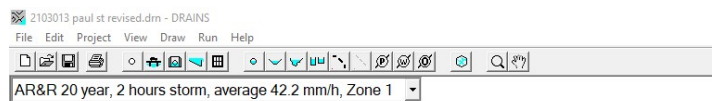
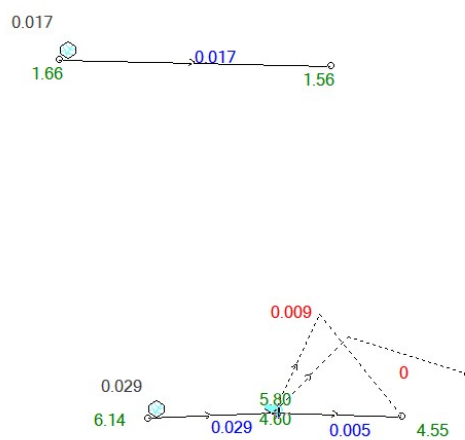
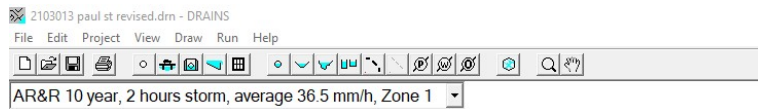
Drains outputs are appended to this document. The model used is represented below:

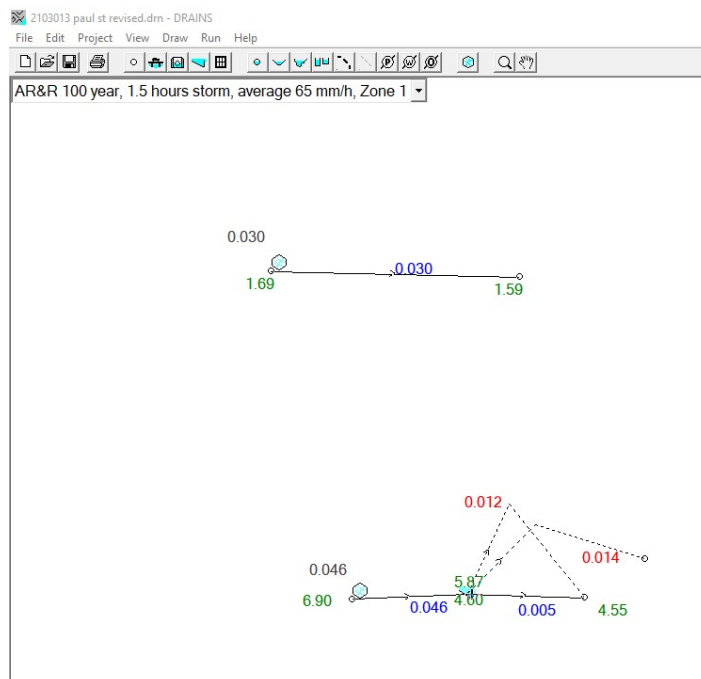
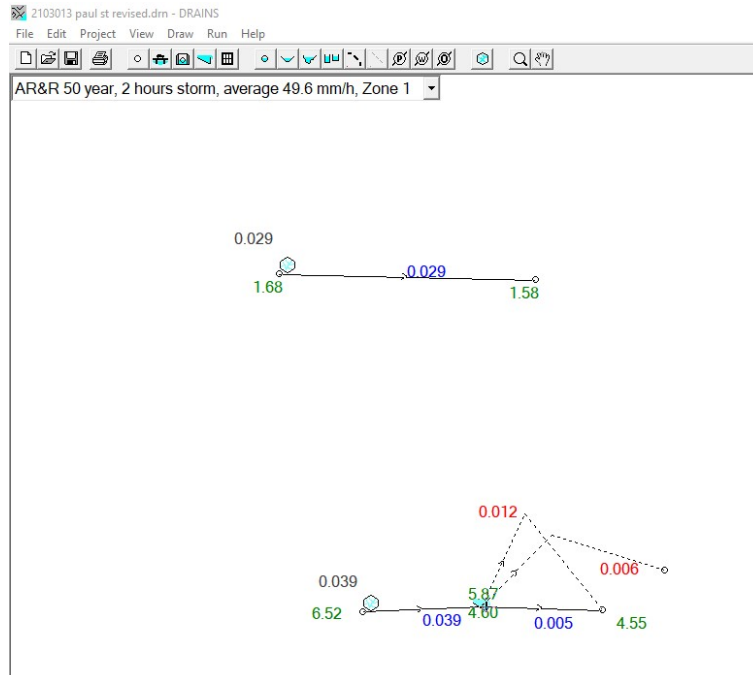


The modeled system achieves peak flows for each recurrence interval which do not exceed the natural site peak flows.

Drains outputs for the system as modeled are shown below.







SUMMARY OF DRAINS FLOWS

Storm	Predevelopment flow l/s	Post development flow with retention l/s
5 yr 5 min	1	0
10 minute	3	0
25 minute	9	2
30 minute	7	2
1 hour	7	4
1.5 hour	10	5
2 hour	10	6
10 yr 5 min	4	0
10 minute	7	0
25 minute	13	4
30 minute	11	4
1 hour	14	7
1.5 hours	16	8
2 hours	17	9
20 yr 5 min	7	0
10 minute	12	0
25 minute	20	7
30 minute	18	6
1 hour	19	9
1.5 hour	22	10
2 hour	23	10
50 yr 5 min	12	0
10 minute	19	3
25 minute	26	9
30 minute	24	9
1 hour	23	11
1.5 hours	26	15
2 hours	29	18
100 yr 5 min	15	0
10 minute	25	5
25 minute	36	19
30 minute	29	10
1 hour	27	19
1.5 hours	30	26
2 hours	33	17

OVERLAND FLOW REQUIREMENTS

The site is not in a designated flow path. Adjoining properties are already developed as shown on plan. Following development piped and overland flows will be directed to the street and will not cause nuisance to adjoining properties.

FLOODING REQUIREMENT

The site is shown on Councils on line Flooding Maps as flood affected in the 1% AEP event or within the flood planning area. Minimum floor levels have been achieved. Filling of the site is proposed to permit drainage to the street however the flood classification provided on the Council flood certificates indicates that the flooding on the site is classified as flood fringe. Filling of flood fringe can generally occur without offsite impacts.



Appendix A: Waste Management Plan Template

Information on this form is collected by council for administrative and assessment purposes. It will be used by council staff and other government agencies for the purpose of assessing the application and will be made available for public access. To protect the applicant and the owner(s) privacy, personal details are recorded only on the Part B - Application Detail and Owner(s) Consent form which is not published. It is the applicant's responsibility to ensure other documents do not contain any personal or financial information.

1. PROJECT DETAILS (All Developments)

Address of development

37 Paul St, Umina Beach

Existing buildings and other structures currently on the site

Residential Dwelling

Description of proposed development

Demolish existing and Construct 3 unit development

This development achieves the waste objectives set out in the DCP. The details on this form are the provisions and intentions for minimising waste relating to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as council, OEH or WorkCover NSW.

Prepared By
(in Block Letters)

KM Design Partners

Date

04/03/2022

Part 7: General Controls - Chapter 7.2 - Waste Management

2. DEMOLITION (All Types of Developments)**Address of development:** 37 Paul St, Umina Beach

Refer to Section 7.2.13 of the DCP for objectives regarding demolition waste.

most favourable  least favourable

	Reuse	Recycling	Disposal	
Type of waste generated	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Specify method of on-site reuse, contractor and recycling outlet and /or waste depot to be used
Excavation material				
Timber (specify)		7m3		Licensed Contractor, Local Recycle Facility
Concrete		3m3		Licensed Contractor, Local Recycle Facility
Bricks/pavers		13m3		Licensed Contractor, Local Recycle Facility
Tiles		9m3		Licensed Contractor, Local Recycle Facility
Metal (specify)		1.5m3		Licensed Contractor, Local Recycle Facility
Glass				
Furniture				
Fixtures and fittings		.3m3		Licensed Contractor, Local Recycle Facility
Floor coverings		2m3		Licensed Contractor, Local Recycle Facility
Packaging (used pallets, pallet wrap)				
Garden organics		6m3		Licensed Contractor, Local Recycle Facility
Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste			4m3	Licensed Contractor, Local Waste Depot
Hazardous/special waste e.g. asbestos (specify)			6m3 Asbestos	Licensed Contractor, Local Waste Depot
Other (specify)				

Part 7: General Controls - Chapter 7.2 - Waste Management

3. CONSTRUCTION (All Types of Developments)**Address of development:** 37 Paul St, Umina Beach

Refer to Section 7.2.14 of the DCP for objectives regarding construction

most favourable



least favourable

	Reuse	Recycling	Disposal	
Type of waste generated	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Specify method of on site reuse, contractor and recycling outlet and/or waste depot to be used
Excavation material		3m3		Licensed Contractor, Local Recycle Facility
Timber (specify)		3m3		Licensed Contractor, Local Recycle Facility
Concrete		1m3		Licensed Contractor, Local Recycle Facility
Bricks		1.5m3		Licensed Contractor, Local Recycle Facility
Tiles		.5m3		Licensed Contractor, Local Recycle Facility
Metal (specify)		.2m3		Licensed Contractor, Local Recycle Facility
Glass				
Plasterboard (offcuts)			.2m3	Licensed Contractor, Local Waste Facility
Fixtures and fittings				
Floor coverings		.2m3		Licensed Contractor, Local Recycle Facility
Packaging (used pallets, pallet wrap)		.1m3		Licensed Contractor, Local Recycle Facility
Garden organics		1.5m3		Licensed Contractor, Local Recycle Facility
Containers (cans, plastic, glass)		.1m3		Licensed Contractor, Local Recycle Facility
Paper/cardboard		.1m3		Licensed Contractor, Local Recycle Facility
Residual waste			3m3	Licensed Contractor, Local Waste Facility
Hazardous/special waste (specify)				

Part 7: General Controls - Chapter 7.2 - Waste Management

4. ONGOING OPERATION (Residential, Multi Unit, Commercial, Mixed Use and Industrial)**Address of development:** 37 Paul St, Umina Beach

Show the total volume of waste expected to be generated by the development and the associated waste storage requirements.

	Recyclables		Compostables	Residual waste*	Other
	Paper/ cardboard	Metals/ plastics/glass			
Amount generated (L per unit per day)					
Amount generated (L per development per week)					
Any reduction due to compacting equipment					
Frequency of collections (per week)	1 Per Fortnight		1 Per Fortnight	Weekly	
Number and size of storage bins required		1 x 240Ltr Bin Per Unit		1 x 120Ltre Bin Per Unit	
Floor area required for storage bins (m2)					
Floor area required for manoeuvrability (m2)					
Height required for manoeuvrability (m)					

* Current "non-recyclables" waste generation rates typically include food waste that might be further separated for composting.

Part 7: General Controls - Chapter 7.2 - Waste Management

5. CONSTRUCTION DESIGN (All Types of Developments)

Outline how measures for waste avoidance have been incorporated into the design, material purchasing and construction techniques of the development (refer to Section 7.2.14 of the DCP):

Materials

The construction material will be sourced from local suppliers to minimise any negative effect on the
environment

Lifecycle

The proposal has a life-cycle of approximately 30-40 years
Detail the appropriate needs for the ongoing use of waste facilities including the transfer of waste between the residents or tenancy units, the servicing of waste location and frequency of waste transfer and collection. If truck access is required then engineering details are required.
Each unit will be responsible for its own waste, collected by councils contractor

Part 7: General Controls - Chapter 7.2 - Waste Management

6. PLANS AND DRAWINGS (All Developments)

The following checklists are designed to help ensure WMP are accompanied by sufficient information to allow assessment of the application.

Drawings are to be submitted to scale, clearly indicating the location of and provisions for the storage and collection of waste and recyclables during:

- demolition
- construction
- ongoing operation.

Demolition

Refer to Section 7.2.13 of the chapter for specific objectives and measures.
Do the site plans detail/indicate?:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	

Construction

Refer to Section 7.2.15 – 7.2.19 of the chapter for specific objectives and measures.
Do the site plans detail indicate?:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	

Part 7: General Controls - Chapter 7.2 - Waste Management

Ongoing Operation

Refer to Section 7.2.15 – 7.2.19 of the chapter for specific objectives and measures.

Do the site plans detail indicate?:

	Tick Yes
Space	
Size and location(s) of waste storage areas	Yes
Recycling bins placed next to residual waste bins	Yes
Space provided for access to and the manoeuvring of bins/equipment	Yes
Any additional facilities	NA
Access	
Access route(s) to deposit waste in storage room/area	NA
Access route(s) to collect waste from storage room/area	NA
Bin carting grade not to exceed 10% and travel distance not greater than 100m in length	NA
Location of final collection point	NA
Clearance, geometric design and strength of internal access driveways and roads	NA
Direction of traffic flow for internal access driveways and roads	NA
Amenity	
Aesthetic design of waste storage areas, including being compatible with the main building/s and adequately screened and visually unobtrusive from the street	NA
Signage – type and location	NA
Construction details of storage rooms/areas (including floor, walls, doors, ceiling design, sewer connection, lighting, ventilation, security, wash down provisions, cross & longitudinal section showing clear internal dimensions between engaged piers and other obstructions, etc)	NA

Item No: 4.1
Title: DA/63420/2021 - 88 Glenworth Valley Road,
Wendoree Park - DESIGNATED & INTEGRATED
Jetty, Wharf & Pontoon
Department: Environment and Planning

Central Coast
Local Planning Panel

21 July 2022 Local Planning Panel Meeting

Reference: DA/63420/2021 - D15214695
Author: Brian McCourt, Development Planner
Manager: Karen Hanratty, Principal Development Planner, Development Assessment South
Approver: Andrew Roach, Unit Manager, Development Assessment

Summary

An application has been received for DESIGNATED & INTEGRATED development for a Jetty, Wharf & Pontoon. The application has been examined having regard to the matters for consideration detailed in section 4.15 of the *Environmental Planning and Assessment Act* and other statutory requirements with the issues requiring attention and consideration being addressed in the report. No submissions have been received. The application is recommended for approval.

The application is referred to the Local Planning Panel for determination as the proposal is classified as Designated Development.

Applicant	L.L. Harper
Owner	L.L. Harper
Application No	DA 63420/2021
Description of Land	Lot 11 DP 25510, 88 Glenworth Valley Road, WENDOREE PARK
Proposed Development	Jetty/Ramp/Pontoon
Site Area	727 sqm
Zoning	W2 – Recreational Waterways
Existing Use	Dwelling House
Employment Generation	Nil
Estimated Value	\$55,000

Recommendation

- 1 That the Local Planning Panel grant consent to DA63420/2021 – [Lot 11 DP 25510 No.88 Glenworth Valley Rd Wendoree Park - DESIGNATED & INTEGRATED Jetty, Wharf & Pontoon subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***
- 2 That Council advise relevant external authorities of the Panel's decision.***

Key Issues

**4.1 DA/63420/2021 - 88 Glenworth Valley Road, Wendoree Park -
DESIGNATED & INTEGRATED Jetty, Wharf & Pontoon (contd)**

- Designated Development
- Ecology
- Navigation of Mangrove Creek

Precis:

Proposed Development	DESIGNATED & INTEGRATED Jetty, Wharf & Pontoon
Permissibility and Zoning	W2 – Recreational Waterways
Relevant Legislation	<i>Environmental Planning & Assessment Act 1979 - Section 4.15</i> <i>Local Government Act 1993 - Section 89</i> <i>Fisheries Management Act 1994</i> <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Primary Production) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>Gosford Local Environmental Plan 2014</i> <i>Central Coast Local Environmental Plan 2022</i> <i>Gosford Development Control Plan 2013</i>
Current Use	Dwelling House
Designated Development	<i>State Environmental Planning Policy (Coastal Management) 2018</i> clause 10(2), transfer of provisions to <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> – clause 2.7 (2) requiring preparation of Environmental Impact Statement
Integrated Development	<i>Fisheries Management Act 1974</i> – clause s205
Submissions	Nil

The Site

The subject site, Lot 11 DP 25510, 88 Glenworth Valley Road is located on the eastern foreshore of Mangrove Creek near the junction of the Hawkesbury River at Wendoree Park. The site has located upon it a dwelling house and ancillary structures. The site is zoned C2 Environmental Conservation under *Gosford Local Environmental Plan 2014* (GLEP 2014)

The waterfront along this area is residential access with public thoroughfare access along the Mean High-Water Mark (MHW).



Figure 1 - Site Location

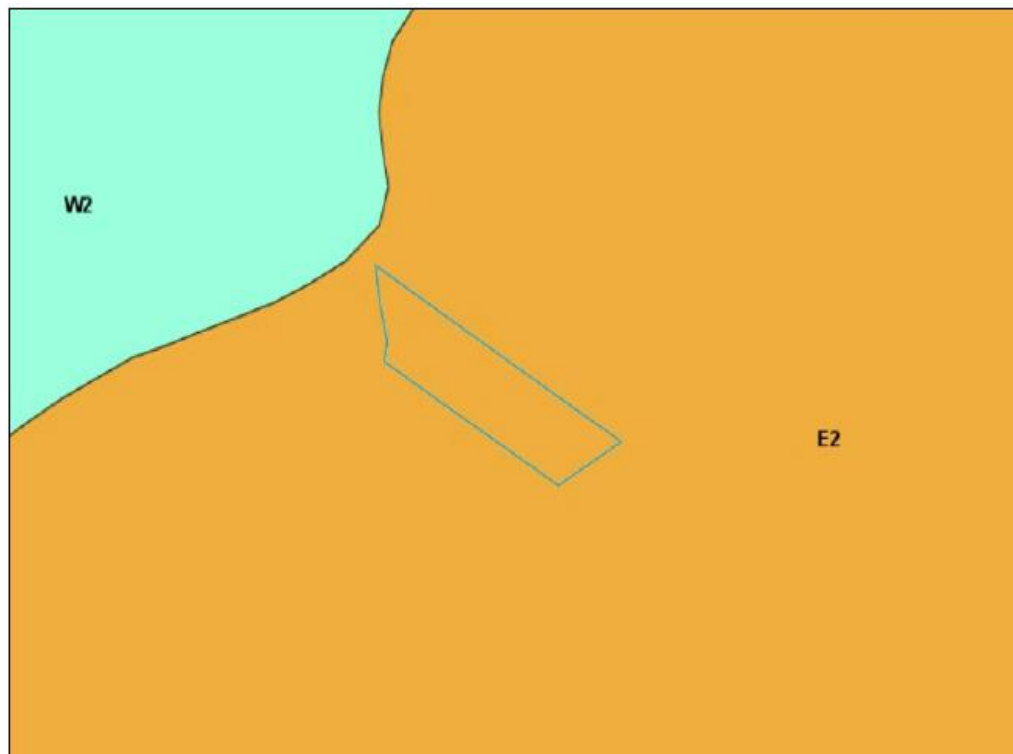


Figure 2 - Site Zoning

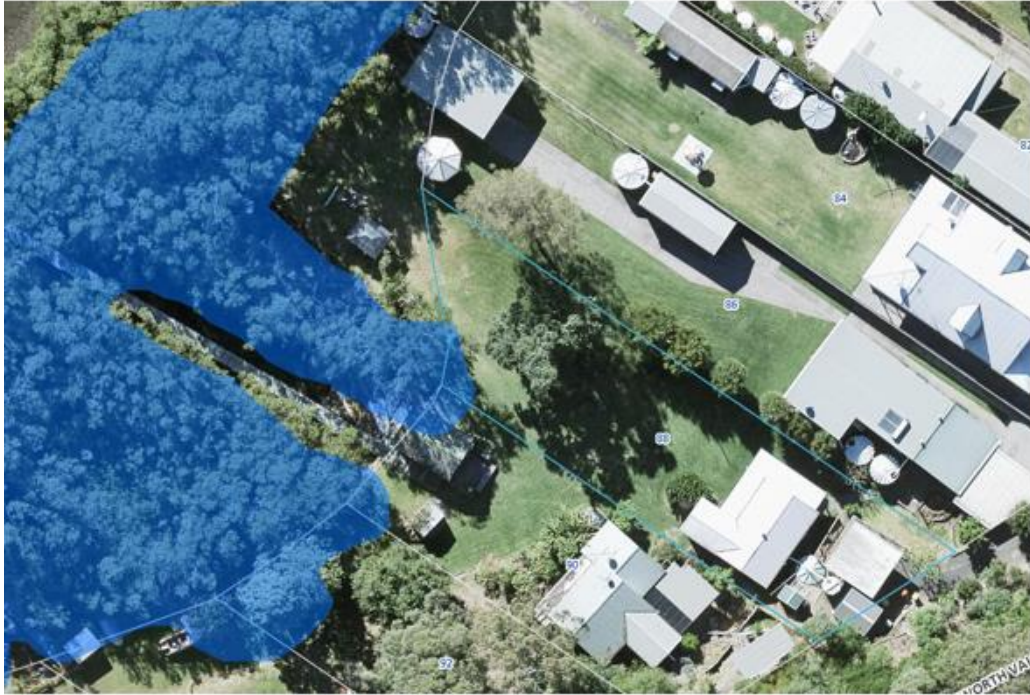


Figure 3 – Mapped Wetland Extent



Figure 4 - Aerial View of Site



Figure 5 - Adjoining Water Recreation Structures



Figure 6 - Location of Proposed Water Recreation Structure

Surrounding Development

Surrounding development consists of detached dwelling houses adjoining Mangrove Creek with most with ancillary ramps/jetties/pontoons similar to what is proposed in this development application.

The Proposed Development

The proposal consists of the installation of a jetty, ramp and pontoon on the subject property.

The structures will have the following dimensions:

- Jetty - 37.6m x 1.5m
- Ramp - 6m x 1.5m
- Pontoon - 2.4m x 3.6m

The jetty/ramp and pontoon will be located in the W2 - Recreational Waterways zone located below MHW.

The applicant has indicated that the structure has been designed to ensure that there is no requirement for any native flora to be trimmed or modified.

Landowners consent from the Crown was granted on 9 September 2021 and includes approval for proposed construction of a jetty, ramp and pontoon and existing site improvements; a timber retaining wall that extends the length of the lot and an area of reclamation.

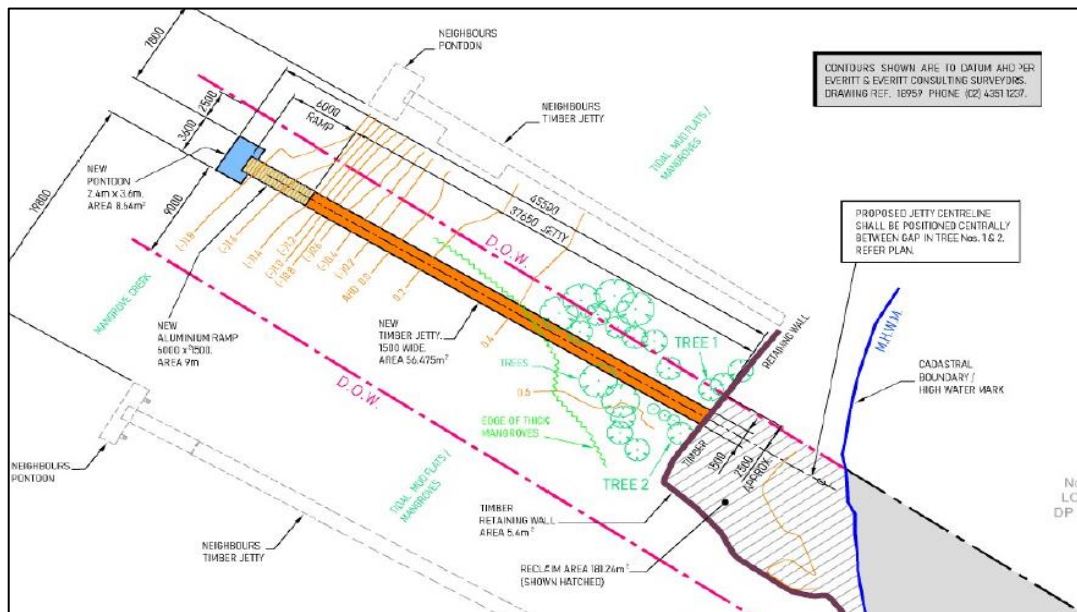


Figure 7 - Plan View of Structures

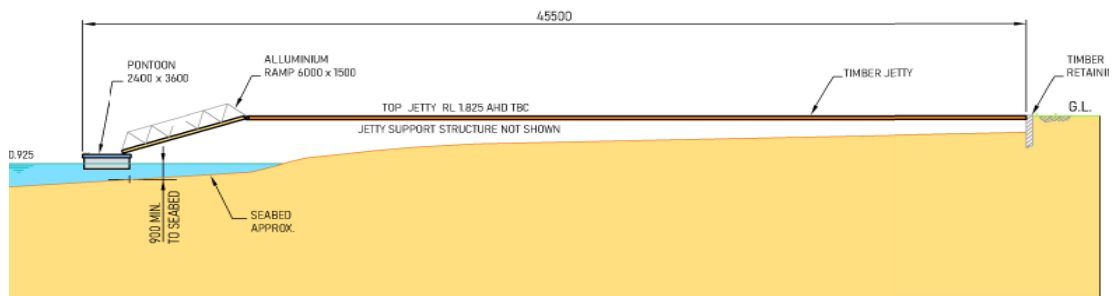


Figure 8 - Elevation of Structures



Figure 9 - Aerial View of Proposed Structures

ASSESSMENT

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

Environmental Planning and Assessment Act 1979 (EP&A Act) - Integrated Development

The proposed development is considered Integrated Development in accordance with Section 4.46(1) the *Environmental Planning and Assessment Act 1979* and requires that the consent authority must, in accordance with the *Environmental Planning and Assessment Regulation 2000*, obtain from each relevant approval body the general terms of any approval proposed to be granted by the approval body in relation to the development.

The application was referred to and General Terms of Approval provided by the relevant authorities as follows:

- NSW DPI Fisheries has issued General Terms of Approval (IDA/22/11 dated 22 March 2022) under section 205 Marine vegetation – regulation of harm of the *Fisheries Management Act 1994*.
- DPI Fisheries raised no objections, subject to meeting the General Terms of Approval that follow. As per s.4.47(3) of the *Environmental Planning and Assessment Act 1979*, any consent issued by Council must be consistent with these GTAs.
 - 1 The proponent must apply for and obtain a Part 7 permit to harm marine vegetation under the FM Act from DPI Fisheries prior to any works on site. Permit application forms are available from the DPI Fisheries website at: <http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>; and
 - 2 Environmental safeguards (silt curtains, booms etc.) are to be used during construction to ensure that there is no escape of turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms; and
 - 3 A minimum of 900 mm is to be maintained between the underside of the pontoon/skid ramp/sea stairs and the substrate at all times; and
 - 4 Mature mangroves must be demarcated and avoided during construction. Only mangrove seedlings will be permitted to be harmed.

DPI Fisheries General Terms of Approval have been included as part of the conditions of consent, ***refer Conditions 1.3, 3.3, 4.5, 4.8, 6.3***

State Environmental Planning Policies (SEPP)

A number of State Environmental Planning Policies (SEPPs) have been consolidated to align with the new planning framework developed by the Department of Planning and Environment (DPE).

It is noted no policy changes have been made as a result of this consolidation and it does not change the legal effect of the existing SEPPs, with Section 30A of the *Interpretation Act 1987* applying to the transferred provisions.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 commenced on 1 March 2022 incorporates and repeals the provisions of 3 SEPPs including *State Environmental Planning Policy (Coastal Management) 2018*.

The relevant provisions of the SEPP are addressed as follows:

Chapter 2 Coastal Management

The provisions of *State Environmental Planning Policy (Resilience and Hazards) 2021*, Chapter 2 Coastal Management, require Council consider the aims and objectives of the SEPP when determining and application within the Coastal Management Areas. The Coastal management Areas are areas defined on maps issued by the NSW Department of Planning and Environment and the subject property falls within the mapped coastal management areas.

As the area where the works are proposed is on Crown land and the site itself is mapped under *State Environmental Planning Policy (Resilience and Hazards) 2021* as wetland clause 2.7(2) applies and states that *Development for which consent is required by subsection (1), other than development for the purpose of environmental protection works, is declared to be **designated development** for the purposes of the Act.*

The applicant received a SEARS checklist (SEAR no.1627 dated 24/12/21). The applicant's response to the checklist is provided in **Attachment 8**. The response by the applicant to the checklist is considered acceptable.

Council's Ecologist has reviewed the proposal in relation to the impact on Coastal Wetlands, refer comments under the section, Internal Consultation, in the report. The integrity of the mangrove stand will not be adversely affected by the proposal, with all mangrove trees to be retained. The proposed use is considered low intensity located in an existing disturbed portion of the Coastal Wetland, between two existing jetties. The proposal is not considered to likely significantly impact on the Coastal Wetland.

The relevant matters have been considered in the assessment of this application. The application is considered consistent with the stated aims and objectives.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021 commenced on 1 March 2022 incorporating and repealing the provisions of *Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)*.

The relevant provisions of the SEPP are addressed as follows:

Chapter 9 Hawkesbury-Nepean River

The aim of this Chapter is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Part 9.2 stipulates the general planning considerations, specific planning policies and recommended strategies to achieve the aim of the chapter Council is to consider prior to granting consent to a development application. The specific planning policies and recommended strategies that apply to the proposal are water quality and water quantity.

The proposed development does not raise any significant issues in relation to the provisions of the SEPP.

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Primary Production) 2021 commenced on 1 March 2022 incorporating and repealing the provisions of *Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)*.

The relevant provisions of the SEPP are addressed as follows:

Chapter 3 Central Coast plateau areas

The Chapter aims to predominantly provide for the environmental protection of the Central Coast plateau areas and to provide a basis for evaluating competing land uses whilst encouraging the use of land having a high agricultural capability and enable development for the purposes of extractive industries in specific locations.

Although the site is located on the Central Coast plateau, it is not identified as prime agricultural land.

Clause 3.5 of this planning instrument outlines the following matters to be considered as part of an application to carry out development with regards to prime agricultural land:

- 1 Council is satisfied that the carrying out of the development would not adversely affect the present or future use of other prime agricultural land for the purposes of agriculture.

Comment - Although covered by the SEPP the land and surrounding land is used for residential purposes.

- 2 Council is satisfied that no other land to which this plan applies, not being prime agricultural land, could provide a viable or workable alternative site for the carrying out of the development.

Comment - The land is used for residential purposes and there is no need for this requirement to be considered.

- 3 Development may be carried out, but only with the consent of a council, on prime agricultural land for the purposes of extractive industries and rural tourist facilities within the locations respectively specified for them on the map.

Comment - Not applicable

Based on the overall assessment above, the proposed development is consistent with the requirements of the SEPP.

Gosford Local Environmental Plan 2014 (GLEP 2014) - Zoning and Permissibility

The land on which the dwelling house is located is zoned C2 Environmental Conservation. The zone boundary adjoining Mangrove Creek is the MHW. The zoning below the MHW is W2 Recreational Waterways.

The proposed development is defined as water recreation structure which is permissible in the zone with consent of Council and will be located in the area below the MHW and therefore assessed under the W2 Recreational Waterways zoning provisions.

In the GLEP *water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway,*

and may include a pier, wharf, jetty or boat launching ramp.

The objectives of the W2 Recreational Waterways zone are:

- To protect the ecological, scenic and recreation values of recreational waterways.
- To allow for water-based recreation and related uses.
- To provide for sustainable fishing industries and recreational fishing.

In this instance, it is considered that the proposal is consistent with the stated objectives of the zone and consistent with the principles of Ecologically Sustainable Development as specified within the Local Government Act 1993.

Gosford Local Environmental Plan 2014 (GLEP 2014) – 5.7 Development below mean high water mark

The proposal complies with the requirements for jetties and structures below mean high water mark.

Gosford Local Environmental Plan 2014 (GLEP 2014) – 7.1 Acid sulfate soils

This land has been identified as being affected by the Acid Sulfate Soils Map and the matters contained in Clause 7.1 of *Gosford Local Environmental Plan 2014* have been considered. The site contains Class 1 Acid Sulfate Soils.

The applicant has submitted an Acid Sulfate Soils Assessment prepared by Copley Marine Consulting Group, dated 10 November 2021 which addresses Clause 7.1 of the GLEP 2014 which has concluded:

The proposed works are in an area having a Class 1 Acid Sulfate Soil classification which requires an assessment of the associated risk of the works and the impact to the environment.

The piling works will be completed using a piling barge with washing facilities and silt curtains with no soil being removed from the water (or a wet environment) to start the oxidization process. While temporary turbidity of the water will occur, the piling works will be completed individually and hence the volume of disturbance will be limited and closely managed.

Silt curtains, installed prior to works, will be utilised during pile driving and pile removal operations to limit the spread of soil outside of the existing pile driving area and assist in settling it back to the seabed quickly.

*The works are therefore classified as **low risk Acid Sulfate Classification** for the site and the implementation of the environmental mitigations above into a Construction Environmental Management Plan will assist in the limiting of the disturbed low volume level of soil.*

The proposed development should not require development consent under GLEP 7.1 (2), and therefore there is no requirement for the preparation of an Acid Sulfate Soil Management Plan (GLEP 7.1 (3)) to accompany this proposed development.

The Acid Sulfate Soil Assessment has been reviewed by Council's Environmental Health Officer and considered to be acceptable. Subsequently an Acid Sulfate Soil Management Plan is not required.

Gosford Local Environmental Plan 2014 (GLEP 2014) – 5.21 Flood Planning

This land has been classified as being under a "flood planning level" and subject to the imposition of a minimum floor level. Proposal. The proposal is not subject to flood related controls, will not affect the safe occupation of the land, will not increase the risk of flood and will not increase in the potential of flooding detrimentally affecting other development of properties. It is considered that the development is compatible with the flood hazard on the site. The development is considered satisfactory in respect to Clause 5.21 of GLEP 2014.

***Central Coast Local Environmental Plan 2022 (CCLEP 2022) – To come into effect
1 August 2020***

The *Central Coast Local Environmental Plan 2022* (CCLEP 2022) has been finalised and notified on the NSW Legislation website on 24 June 2022. It will come into effect 1 August 2022 and the consolidated Central Coast Development Control Plan 2022 (CCDCP 2022) will also come into force on the same date and will replace the planning instruments relating to the former Local Government Areas.

The CCLEP 2022 is a matter for consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*. The CCLEP 2022 is considered imminent and certain and can be afforded significant weight.

The CCLEP 2022 includes savings provisions that provide for an application lodged before the making of the Plan, that the application must be determined as if the Plan had not been made.

Under the provisions of the CCLEP 2022, water recreation structures would be a permitted use in the W2 Recreational Waterways zone associated with the use of the adjoining land zoned C2 Environmental Conservation. The provisions of the Plan and its objectives for the relevant zonings has been considered in the assessment of this application.

While the Central Coast Development Control Plan (CCDCP 2022) is not a statutory matter for consideration, the relevant controls, as relevant to this site and the proposed development have been considered and deemed satisfactory.

Gosford Development Control Plan 2013 (GDCP 2013)

GDCP 2013 - Chapter 2.1 Character

The site is located within the desired character area, Wendoree Park 1: Open Parkland Rivershores.

The desired character statement does not address the type of development proposed in this application.

GDCP 2013 – Chapter 6.3 Erosion Sedimentation Control

An erosion and sediment control plan were not provided with the application. Compliance with DPI Fisheries General Terms of Approval, Construction and Environmental Management Plan (CEMP) and relevant conditions included in the development consent address the requirements of the GDCP 2013, **refer Conditions 3.4, 4.6, 4.8 & 4.9**.

The proposal is satisfactory in has demonstrated compliance with this chapter of the GDCP 2013.

GDCP 2013 - Chapter 6.6 Tree and Vegetation Management

A site inspection was not undertaken. Comments are provided from information found within submitted documentation.

The documentation submitted with the proposal has addressed impacts on wetlands and vegetation, refer Council Ecologist comments and recommended **Conditions 4.4, 4.7**.

Council's Tree Assessment Officer has reviewed the proposal and raises no objections. Plans highlight TREE 1 & TREE 2 (likely Mangroves), of which the jetty will be positioned centrally between. There appears to be a reasonable distance from the works and those trees that are not expected to be adversely impacted; a condition is recommended to protect trees during works, **refer Condition 4.3**.

GDCP 2013 - Chapter 7.2 Waste Management

Waste management is addressed in the Construction and Environmental Management Plan (CEMP). All works will be completed by water access only via a contracted commercial barge operator. All waste will be disposed of in accordance with best practice waste and recycling guidelines via barge and the nearest licensed Resource Recovery Centre. All recommendations contained in the Marine Habitat Survey will be incorporated into a CEMP.

A condition is recommended to comply with the waste management measures in the CEMP during works, **refer Condition 4.6**.

The proposal has demonstrated compliance with this chapter of the GDCP 2013.

Likely Impacts of the Development

Built Environment

The proposal will be located within an existing natural area. It will be introducing an element of the built environment to an area which had not experienced built elements previously. The introduction of these built elements has been identified as not resulting in detrimental effects to the natural setting.

Access and Transport

The jetty/ramp/pontoon will provide access to the property from the water. No access or transport impacts will occur from this increased accessibility.

Context and Setting

The jetty/ramp/pontoon will be a low-key inclusion in the Hawkesbury/Mangrove Creek visual catchment. The development will not unduly intrude into the landscape and it will form part of the waterfront activity that exists in Wendoree Park.

Natural Environment

The protection of the natural environment has been the key aspect of the assessment of this application. It has been concluded that the natural environment can be protected in the undertaking of the construction of the jetty/ramp/pontoon.

Economic Impacts

The proposed development will have negligible economic impacts.

Social Impacts

The proposed development will have negligible social impacts.

Suitability of the Site for the Development

The interface between the waterway and the land is occupied by mangroves and the intrusion of such structures into the mangroves is not the preferred way of managing a mangrove environment. It has been assessed that the development can take place without undue impacts on the mangroves.

As evidenced in the photographs in this report there are a number of similar structures in the vicinity of the site. As is particularly seen in the photographs of the waterway vista the jetty/ramps/pontoons are not overly intrusive and the mangrove environment appears to be in good health around these structures hence it is considered that the proposed structure can fit in the locality.

Any Submission made in Accordance with this Act or Regulations

Section 4.15 (1)(d) of the EP&A Act requires consideration of any submissions received during notification of the proposal.

The proposal was formally advertised and notified, in accordance with GDCP 2013 Chapter 7.3.2 Notification of Development Proposals, between 25 February 2022 and 30 March 2022.

Internal Consultation

The following internal consultations have been undertaken:

Tree Assessment Officer	Supported, subject to Condition 4.3
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**4.1 DA/63420/2021 - 88 Glenworth Valley Road, Wendoree Park -
DESIGNATED & INTEGRATED Jetty, Wharf & Pontoon (contd)**

Environmental Health	Supported, subject to Condition 4.7
Ecologist	Supported, subject to Conditions 4.4, 4.7

Council Ecologist Comments

The proposal includes a new jetty, ramp and floating pontoon which would extend a total of 45.5 m out onto Mangrove Creek, a tributary of the Hawksbury River. The application is integrated under the *Fisheries Management Act 1994* and designated under SEPP Resilience and Hazards. The SEARs (#1627) specify biodiversity assessment requirements which includes accurate predictions of any vegetation clearing on site.

Marine Habitat Survey

According to the Marine Habitat survey prepared by H2O Consulting Group, dated 30 May 2019, the water frontage contains a stand of Grey and River Mangroves which extends 20-30 m from the shoreline. Subtidal habitat is muddy and does not support seagrasses or saltmarsh. The jetty would intersect through an existing gap through the mangrove area. Intertidal habitat will be disturbed by the proposal which will include mangrove pneumatophores and small saplings. No mangrove trees require clearing to facilitate the development.

A survey was undertaken on the 14 March 2021 which extended 45m from the shore and included intertidal habitat within 10m of the proposal. No threatened species or communities were identified during the site inspection.

Suitable environmental mitigation measures are contained in the Construction Environment Management Plan, prepared by Copley Marine Consulting Group dated 18 January 2022. The application is also supported by NSW Fisheries.



Figure 10 - Gap between mangrove trees where the new jetty is proposed

State Environmental Planning Policy (Resilience and Hazards) 2021 (formally Coastal Management SEPP)

The mangrove stand is mapped as Coastal Wetland and the site is identified in the Proximity Area for Coastal Wetlands, Coastal Environment Area and Coastal Use Area.

Division 3 (Coastal Environment Area) and division 4 (Coastal Use Area) has been addressed in the EIS. The integrity of the mangrove stand will not be adversely affected by the proposal, with all mangrove trees to be retained. The proposed use is considered low intensity located in an existing disturbed portion of the Coastal Wetland, between two existing jetties. The proposal is not considered to likely significantly impact on the Coastal Wetland.

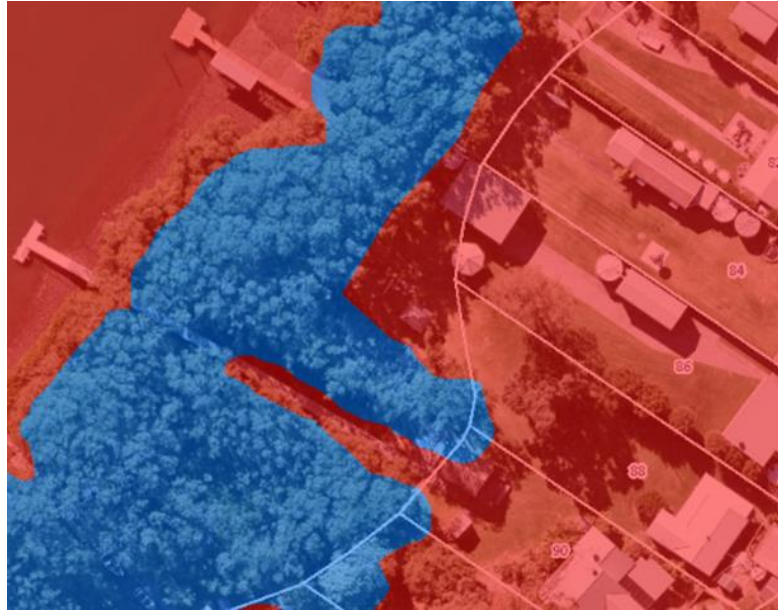


Figure 11 - Coastal Wetlands area (blue shading) and proximity area (red shading)

The biodiversity SEARs requirements have been addressed in DA documentation. Council's Ecologist is satisfied that the proposal will not have a significant impact on any threatened species, ecological communities or will exceed the NSW Biodiversity Offset Scheme.

The objectives of the relevant policies, zoning objectives and potential environmental impacts associated with the proposal have been considered. Council's Ecologist has no objection to the proposal subject to conditions being included within any consent granted, **refer Conditions 4.4, 4.7**

External Consultation

Transport for NSW (TfNSW)	Supported, without conditions The application is accompanied by a letter dated 11 August 2020 from TfNSW Maritime Division. TfNSW advise there are no navigational concerns with the proposed development.
DPI Fisheries	Supported, subject to conditions – refer comments under EP&A Act - Integrated Development

The Public Interest

The approval of the application is considered to be in the public interest as follows:

- The proposal is consistent with the relevant clauses of the applicable environmental planning instruments.
- The proposal does not result in any increase in unreasonable environmental impacts.

Ecologically Sustainable Principles

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to be satisfactory. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments. These views are supported by DPI – Fisheries and Council's Ecologist.

Climate Change

The Development Application does not have climate change implications.

Other Matters for Consideration

Section 7.12 Contributions

The proposed development is not subject to section 7.12 development contributions under the Contribution Plan as the cost threshold has not been reached.

CONCLUSION

This application has been assessed under the heads of consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and relevant instruments and policies. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any material adverse social or economic impact.

Based on the assessments undertaken by the applicant and the review of these assessments completed by relevant Council and State Government authorities the jetty/ramp/pontoon will have limited impact upon the sensitive riverine environment that exists on the site. The use is permitted under Council's planning instrument and is not restricted by State Planning Policies or Council guidelines. The development application is therefore considered to be able to be recommended for support.

Accordingly, the application is recommended for **approval** pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.

Reasons for the Decision









The reasons for the decision as recommended under the assessment of this application are as follows:

- 1 The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.

**4.1 DA/63420/2021 - 88 Glenworth Valley Road, Wendoree Park -
DESIGNATED & INTEGRATED Jetty, Wharf & Pontoon (contd)**

- 2 There are no significant issues or impacts identified with the proposal under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Attachments

 1	Draft Conditions DA 63420 2021 - 88 Glenworth Valley Rd Wendoree Park	D15225509
 2	PUBLIC Plans 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021	D14886849
 3	Fisheries General Terms of Approval 88 Glenworth Valley Road Wendoree Park DA/63420/2021	D15175084
 4	PUBLIC Acid Sulfate Soils Report 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021	D14886846
 5	PUBLIC Marine Habitat Study 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021	D14886848
 6	CEMP 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021 [PAN-154850]	D15007629
 7	Visual Impact Assessment 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021 [PAN-154850]	D15007604
 8	EIS 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021 [PAN-154850]	D15007619
 9	Attachment LPP -SEARS - 88 Glenworth Valley Wendoree Park	D15217733
 10	Crown Lands Owners Consent 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021	D14886859
 11	TfNSW (Maritime) Letter 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021	D14886840

DRAFT CONDITIONS OF CONSENT

Application Number: DA/63420/2021
Proposed Development: Jetty, Wharf & Pontoon
Property Address: Lot 11 DP 25510, 88 Glenworth Valley Road, WENDOREE PARK

1. PARAMETERS OF THIS CONSENT**1.1. Approved Plans and Supporting Documents**

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title	Drawn By.	Dated
18168	-	Cover Sheet	Copley Marine Consulting Group	-
18168-DA1	A	New Works Plan	Copley Marine Consulting Group	16/09/2021
18168-DA2	A	Elevations	Copley Marine Consulting Group	16/09/2021

Document Title.	Version No.	Prepared by.	Dated.
Acid Sulfate Soils Report	A	Copley Marine Consulting Group	10/11/2021
Marine Habitat Survey	A	H2O Group	30/05/2019
Construction Environmental Management Plan	A	Copley Marine Consulting Group	18/01/2022
Environmental Impact Statement	A	Copley Marine Consulting Group	18/01/2022

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

- 1.2. Carry out all building works in accordance with the National Construction Code Series, Building Code of Australia, Volume 1 and 2 as appropriate.

- 1.3. Comply with the General Terms of Approval from the Authorities as listed below and attached as a schedule of this consent.

Government Agency / Department / Authority	Description	Ref No	Date
DPI Fisheries	IDA Referral for Installation Jetty/Ramp/Pontoon	IDA22/11	22/03/2022

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to any Construction Certificate.
- 2.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
- Site investigation for the preparation of the construction, and / or
 - Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - Demolition.
- 2.3. Submit to Council an occupancy licence agreement issued by the Department of Planning, Industry and Environment.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Appoint a Principal Certifier for the building work:
- The Principal Certifier (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - Submit to Council a Notice of Commencement of Building Work form giving at least two (2) days' notice of the intention to commence building work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.3. Apply for and obtain a Part 7 permit to harm marine vegetation under the FM Act from DPI Fisheries prior to any works on site. Permit application forms are available from the DPI Fisheries website at: <http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>.
- 3.4. Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
 - diverting uncontaminated run-off around cleared or disturbed areas, and
 - preventing the tracking of sediment by vehicles onto roads, and
 - stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- 3.5. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a) The name, address and telephone number of the Principal Certifier for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.
 - d) Remove the sign when the work has been completed.
- 3.6. Provide and maintain a garbage receptacle at the work site until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for food scraps and papers.
- 3.7. Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- a. could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - b. could cause damage to adjoining lands by falling objects, or
 - c. involve the enclosure of a public place or part of a public place.

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

Note 2: The *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011* contain provisions relating to scaffolds, hoardings and other temporary structures.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:
- 7.00am and 5.00pm Monday to Saturday

The principal certifier must ensure building work, demolition or vegetation removal is not

carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

- 4.3. Undertake the works in a manner so as to prevent damage to trees.
- 4.4. Do not remove mangroves without the consent of NSW Fisheries.
- 4.5. Demarcate and avoid mature mangroves during construction. Only mangrove seedlings will be permitted to be harmed.
- 4.6. Comply with impact mitigation measures, waste management measures and recommendations as stated in the Construction Environment Management Plan (Copley Marine Consulting Group, 18/01/2022). Where these recommendations contained within the Construction Environment Management Plan are inconsistent, the conditions of consent prevail.
- 4.7. Comply with mitigation measures and recommendations as stated in the Acid Sulfate Soil assessment (Copley Marine Consulting Group, October 2021).
- 4.8. Use environmental safeguards (silt curtains, booms etc.) during construction to ensure that there is no escape of turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms.
- 4.9. Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 4.10. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.11. Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the Roads Act 1993.
- 4.12. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the

Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

"relic" means any deposit, artefact, object or material evidence that:

- a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- b) is of State or local heritage significance; and

"Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. To ensure the protection of objects of potential sign.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2. Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifier. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000* or *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (as appropriate).
- 5.3. Complete the building in accordance with the relevant provisions and requirements of the National Construction Code Series.

6. ONGOING

- 6.1. Maintain public liability insurance in accordance with the requirements of the licence issued by Department of Planning, Industry and Environment. The water recreation structure must be demolished if the license lapses.
- 6.2. Maintain the new water recreation structure in a proper and safe condition at all times in accordance with the licence issued by Department of Planning, Industry and Environment.
- 6.3. Maintain a minimum of 900 mm between the underside of the pontoon/skid ramp/sea stairs and the substrate at all times.
- 6.4. Do not use red or green lighting in association with a pontoon or walkway.
- 6.5. Direct all lighting associated with the pontoon and/or walkway in such a manner that no

nuisance or adverse impact will be caused to adjoining properties, or to vessels on nearby waterways.

6.6. Provide pontoons with a robust system of mooring by:

- a) fixing the pontoon to a hinged ramp and attach mooring chains; or
- b) fixing the pontoon by sliding guides around flanking piles and attach mooring chains.

7. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a criminal offence. Failure to comply with other environmental laws may also be a criminal offence.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
 - a) Australia Post for the positioning and dimensions of mailboxes in new commercial and residential developments
 - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.

- Dial Before You Dig
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- Telecommunications Act 1997 (Commonwealth)
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
- Install and maintain backflow prevention device(s) in accordance with Council's WS4.0 Backflow Prevention Containment Policy. This policy can be found on Council's website: www.centralcoast.nsw.gov.au

This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage).

88 GLENWORTH VALLEY ROAD
WENDOREE PARK
NSW.

PROJECT : 18168

DEVELOPMENT APPROVAL
DRAWING SET

PROPOSED NEW JETTY, RAMP & PONTOON

DRAWING LIST

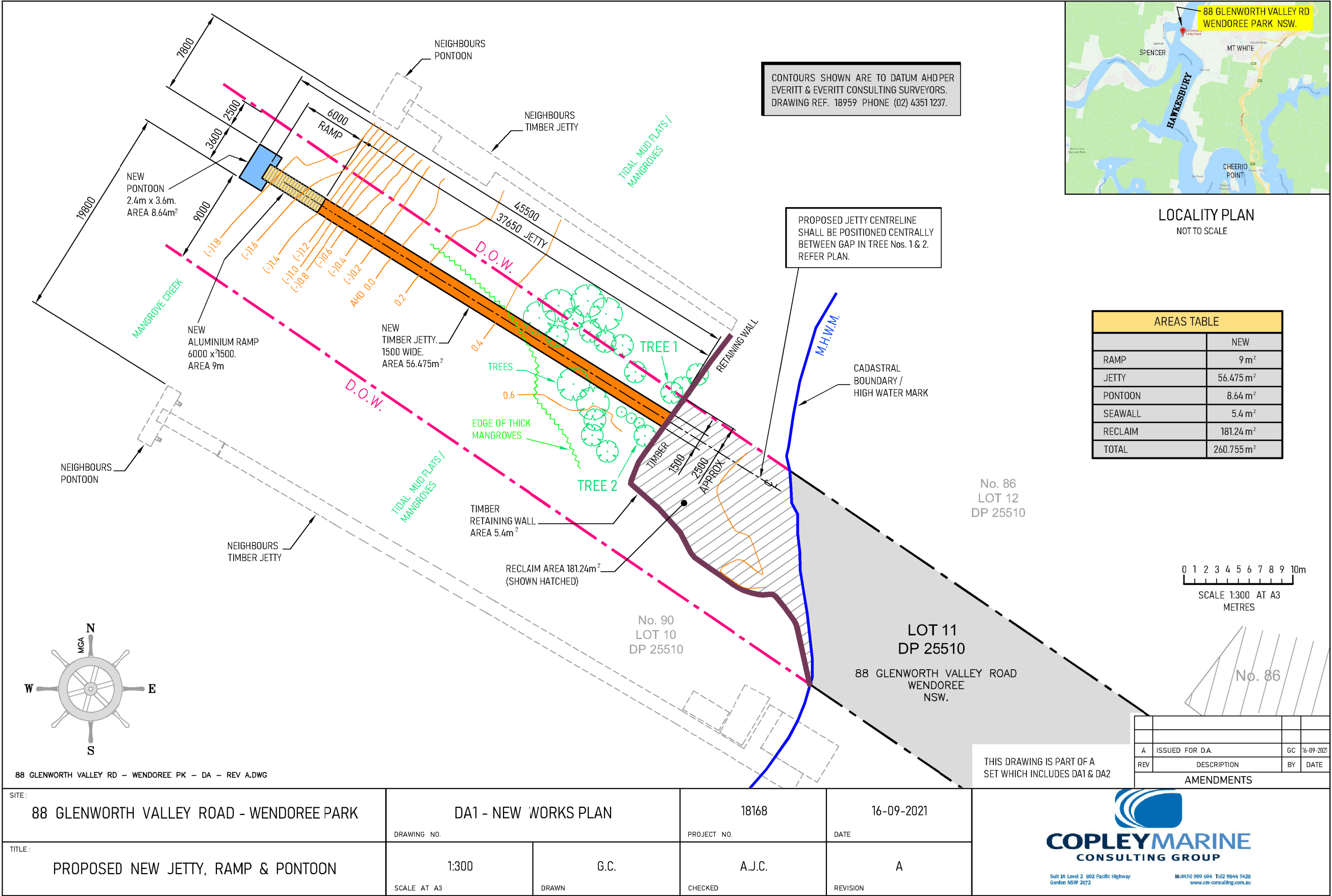
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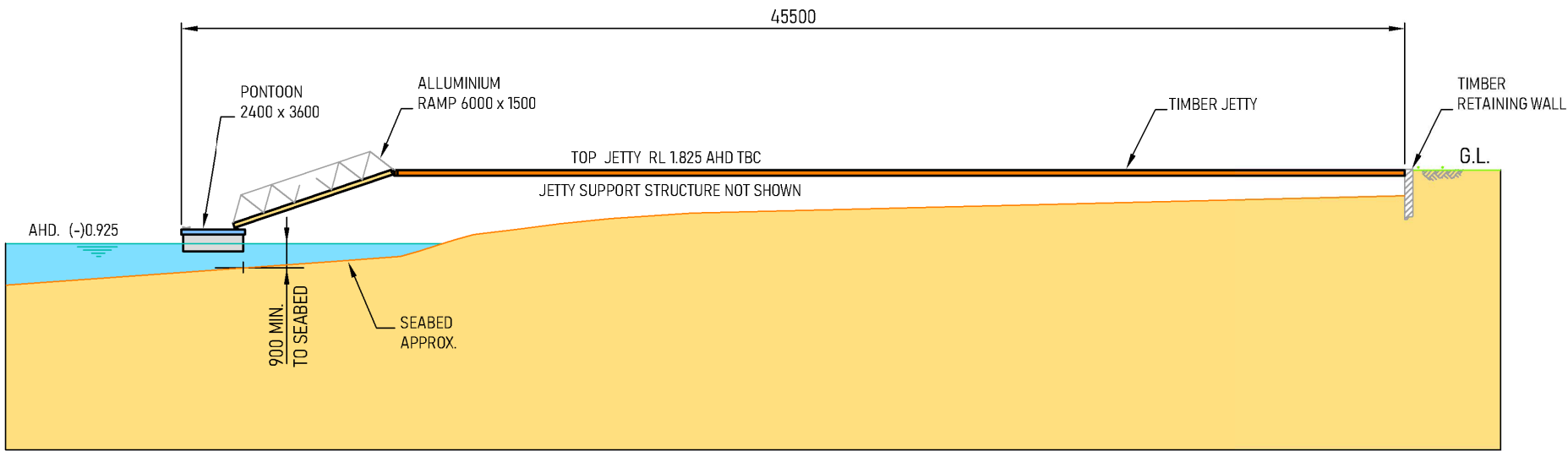
DA2 - ELEVATIONS



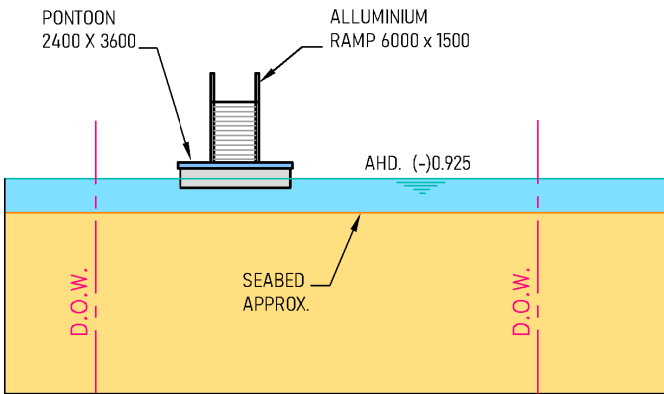
Suit 1A Level 2 802 Pacific Highway
Gordon NSW 2072

M:0450 909 604 T:02 9844 5428
www.cm-consulting.com.au



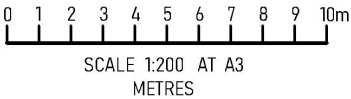


SOUTH ELEVATION
SCALE 1:200



EAST ELEVATION
SCALE 1:200


SEABED DRAWN TO DATUM AHD PER
EVERITT & EVERITT CONSULTING SURVEYORS.
DRAWING REF. 18959 PHONE (02) 4351 1237.



REV	DESCRIPTION	BY	DATE
A	ISSUED FOR DA	GC	16-09-2021
AMENDMENTS			

88 GLENWORTH VALLEY RD - WENDOREE PK - DA - REV A.DWG

THIS DRAWING IS PART OF A
SET WHICH INCLUDES DA1 & DA2

SITE : 88 GLENWORTH VALLEY ROAD - WENDOREE PARK		DA2 - ELEVATIONS		18168	16-09-2021	 COPLEYMARINE CONSULTING GROUP <small>Suit 1A Level 2 802 Pacific Highway Gordon NSW 2072</small> <small>M:0450 909 604 T:02 9844 5428 www.cm-consulting.com.au</small>
TITLE : PROPOSED NEW JETTY, RAMP & PONTOON		DRAWING NO. 1:200 SCALE AT A3	G.C.	PROJECT NO. A.J.C. CHECKED	DATE A REVISION	



Department of Primary Industries

Our Ref: IDA22/11

22 March 2022

Your Ref: CNR-35544

Central Coast Council
c/o: ePlanning Portal

Dear Central Coast Council,

Proposal: IDA referral for installation of a new jetty, ramp and pontoon
Property: 88 Glenworth Valley Rd, Wendoree Park (Lot 11, DP 25510) – Mangrove Creek

Thank you for your referral of 17/2/2022 seeking comment on this proposal from DPI Fisheries, a division of NSW Department of Primary Industries.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management* (2013). In addition, DPI Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has reviewed the proposal in light of these provisions and has no objections, subject to the proponent meeting the General Terms of Approval that follow. As per s.4.47(3) of the *Environmental Planning and Assessment Act 1979*, any consent issued by Council must be consistent with these GTAs.

1. The proponent must apply for and obtain a Part 7 permit to harm marine vegetation under the FM Act from DPI Fisheries **prior to any works on site**. Permit application forms are available from the DPI Fisheries website at: <http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>; and
2. Environmental safeguards (silt curtains, booms etc.) are to be used during construction to ensure that there is no escape of turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms; and
3. A minimum of 900 mm is to be maintained between the underside of the pontoon/skid ramp/sea stairs and the substrate at all times; and
4. Mature mangroves must be demarcated and avoided during construction. Only mangrove seedlings will be permitted to be harmed.

If Council or the proponent require any further information, please do not hesitate to contact me on (02) 8437 4981.

Yours sincerely,
IDA22/11

DPI Fisheries
Mail to: R. Philps, 1243 Bruxner Hwy, Wollongbar NSW 2477
Email: ahp.central@dpi.nsw.gov.au
ABN 20770707468

Page 1 of 3

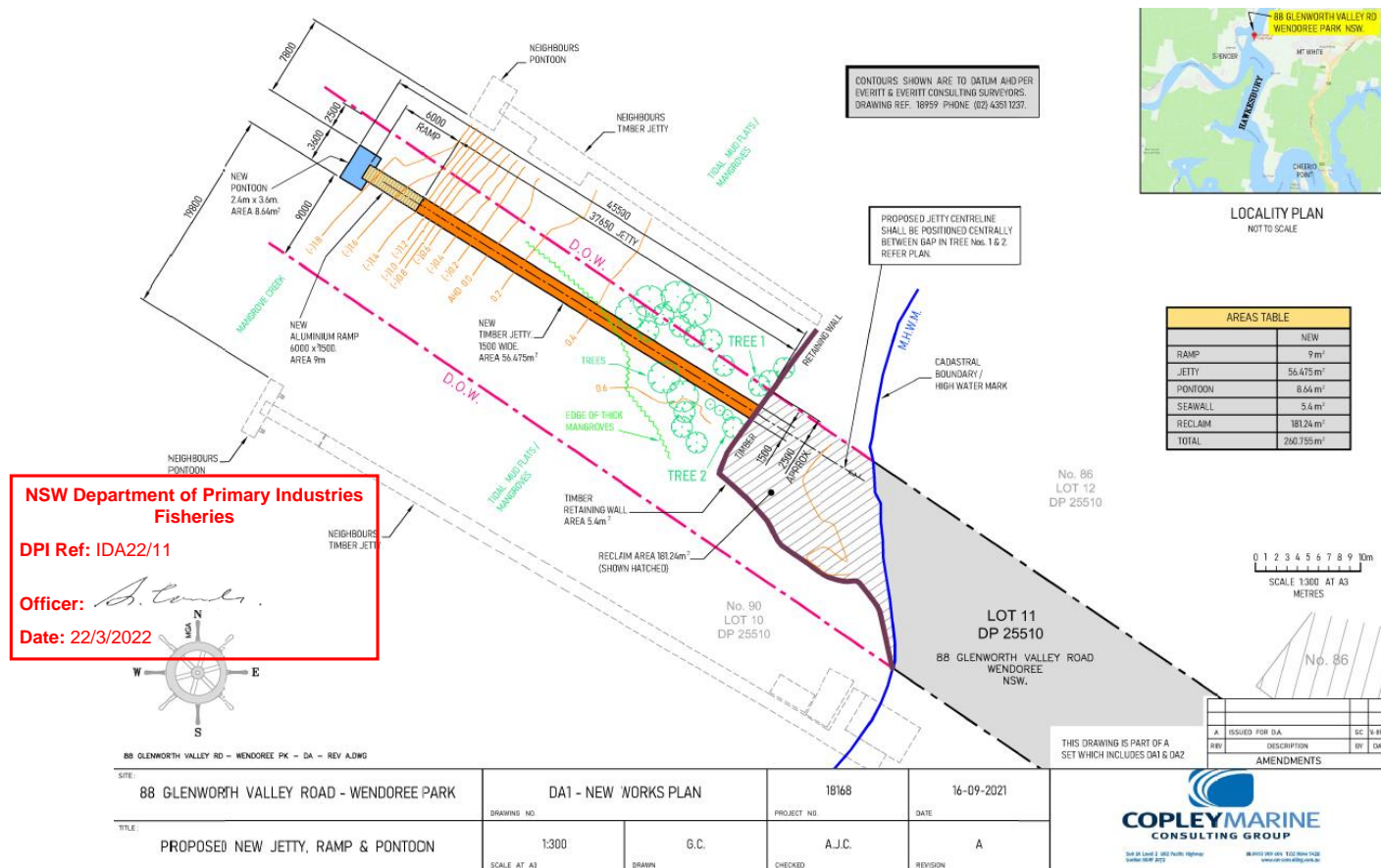


**Department of
Primary Industries**

Sarah Conacher
Fisheries Manager, Coastal Systems



Department of Primary Industries





Acid Sulfate Soil Assessment

88 Glenworth Valley Rd - Wendoree Park



Prepared By:
Copley Marine Consulting Group Pty Ltd

On Behalf of Client:
Liam Harper

Address:
88 Glenworth Valley Rd, Wendoree Park

Date of issue:
11/10/2021

Document Control

Rev	Date	Amendment Description	Author	Initials	Review	Initials
A	28/09/2021	Draft for review	K Fisher	KF	A. Copley	AC

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Acid Sulfate Soil Assessment

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1. Acid Sulfate Soil Assessment

1.1. Introduction

88 Glenworth Valley Rd, Wendoree Park is the land abutting the site where the proposed development is located. The site is an area classified as a High Probability of Occurrence on the Central Coast Council's acid sulfate soil online mapping tool. We are assuming this translates to a Class 1 under general NSW classifications. This Acid Sulfate Soil Assessment (ASSA) is being completed as per council requirements (Gosford Local Environment Plan (GLEP) 2014, 7.1) as part of the lodgement of a Development Application for a new waterfront structure including a jetty, ramp and pontoon at the site.

Acid sulfate soils include the actual acid sulfate soil and potential sulfate soils that are found to be naturally occurring soil containing iron sulfides. The disturbance of these soils and exposure to air allows the iron sulfides to start the oxidation process which in turn leads to the creation of sulfuric acid. The creation of this sulfuric acid overwhelms the natural ability of the soil to neutralise the high acid content and leaches into the natural waterways, creating severe environmental impacts.

The Acid Sulfate Soil Manual (1998) identifies that under section 1.4, the guidelines apply when certain activities are likely to affect coastal sediments and an assessment therefore needs to be completed. Specifically in this case, the *"excavation or disturbance of acid sulfate soils."*

The initial assessment process has been requested under the Central Coast Council's relevant Local Environment Plan (which is the GLEP 2014) as part of the development consent pathway. The process involves the establishment of the proposed works; identification of the presence of acid sulfate soils via the Central Coast Council's online mapping tool; and the potential of the disturbance that will require management.

1.2. Planning Instruments

The relevant planning instruments include:

- Acid Sulfate Soil Manual 1998 (Acid Sulfate Soil Management Advisory Committee NSW ASSMAC 1998),
 - Model Acid Sulfate Soils Local Environmental Plan 1999 (Model ASS LEP).
- Gosford Local Environmental Plan 2014 (GLEP).
- Gosford Development Control Plan 2013 (GDCP).

1.2.1. Model Acid Sulfate Soils Local Environmental Plan 1999

The Model ASS LEP requires that if works:

- involve disturbance of more than one (1) tonne of soil or lowering of the watertable; and
- trigger the criteria relating to the land (see the ASS Planning Maps which are based on the level of risk associated with the soil characteristics and the depth and type of works),

A preliminary test must be undertaken to determine if an ASS Management Plan is required. If an ASS Management Plan is required, a development application must be lodged for the works. The Model ASS LEP clauses only apply to works likely to result in environmental impacts from the disturbance of acid sulfate soil.

Acid Sulfate Soil Assessment

1.2.2. Gosford Local Environmental Plan 2014

7.1 (2) Development Consent is required for the carrying out of works described in the table [below] to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class of land	Works
1	Any works

7.1 (6) Despite subclause (2), development consent is not required under this clause to carry out any works if -

- a) the works involve the disturbance of less than 1 tonne of soil, and
- b) the works are not likely to lower the watertable.

1.3. Acid Sulfate Soil Map

The Central Coast Council's online mapping tool shows that there are acid sulfate soils present on the subject site as indicated by the blue shading below the Mean High Water Mark (M.H.W.M.). The area is shown as High Probability of Occurrence (assume a Class 1 for the purposes of this report) and therefore triggers an assessment for any works associated.

The classification of Class 1 soils indicates that there is a high probability that acid sulfate soils could be present on the site which aligns with the mapping tools' classification as well.



Figure 1 - Extract from Central Coast Council's online mapping tool

1.4. Project Proposal

The project proposed for the water abutting the M.H.W.M. at the site consists of a new waterfront structure including a jetty, ramp and pontoon. The acid sulfate soil impact specifically focuses on the piling works associated with this project.

The property is located on the eastern foreshore of Mangrove Creek near the junction of the Hawkesbury River in Wendoree Park. The area is primarily residential with existing waterfront structures in situ at neighbouring sites. The site is on the waterfront, tidal and has a retaining wall acting as a boundary between it and the waterway. There is however, limited public access at certain tides, along the M.H.W.M.

The waterfront structure is needed for the proponents to safely access the waterway during all tidal and weather conditions. The works are deemed permissible with development consent under the GLEP and the design has been completed in accordance with the Central Coast Council's Development Control Plan.

The works will consist of:

- Installation of a new timber jetty (37.65 x 1.5m).
- Installation of a new aluminium ramp (6.0 x 1.5m).
- Installation of a new floating pontoon (2.4 x 3.6m).

The specific piling works that impact the seabed will involve:

- the installation of up to twelve (12) new jetty piles in the final engineering design.

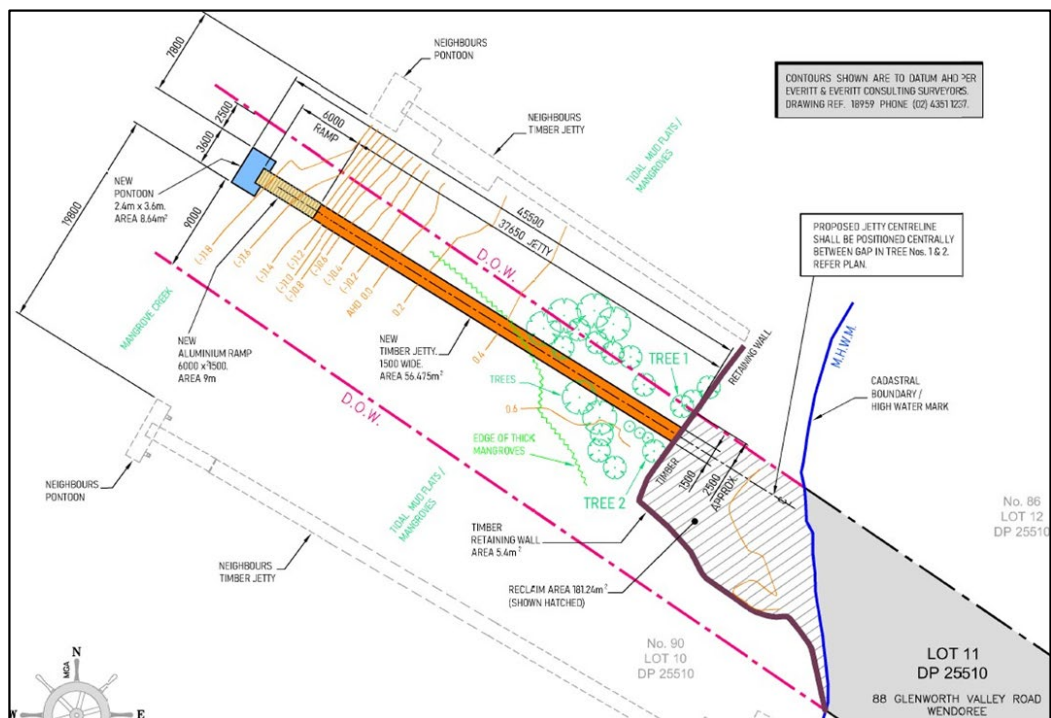


Figure 2 – Proposed works

Acid Sulfate Soil Assessment

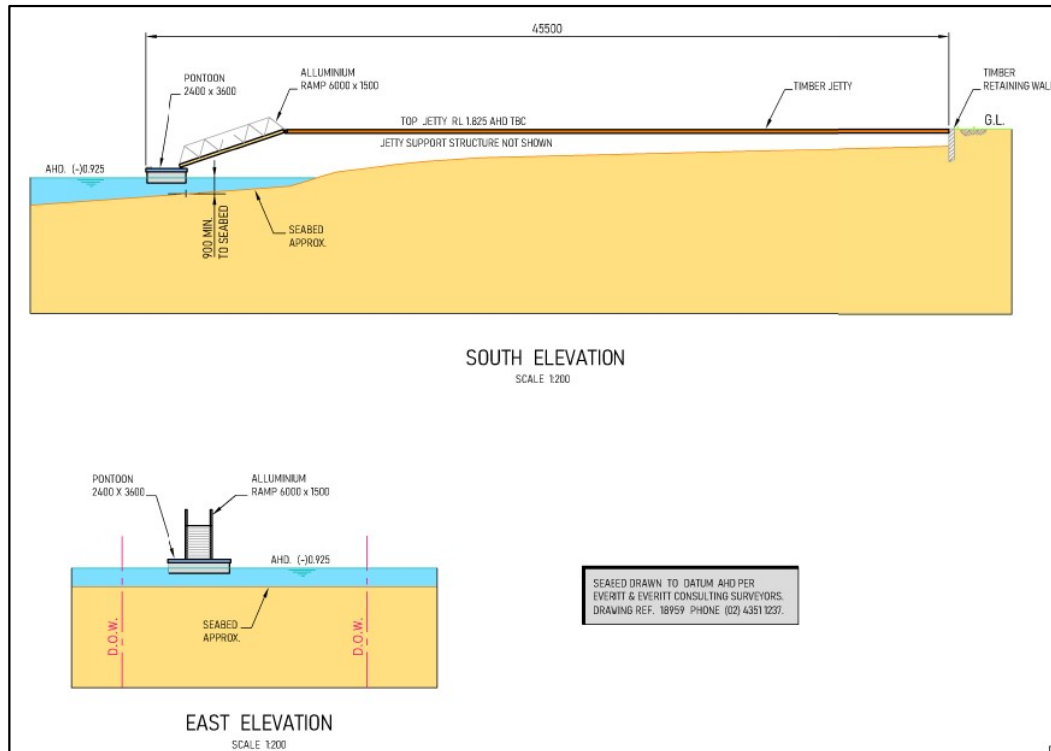


Figure 3 – Proposed works with elevations

1.5. Acid Sulfate Soil Investigation

Preliminary investigations were completed as part of the process for the Acid Sulfate Soil Assessment using a desktop review. This review, referencing the relevant planning instruments, included using experiences from the management of previous similar sites, information from contractors experienced in such works and advice from acid sulfate expert consultants. The preliminary assessment is completed as per the Acid Sulfate Soil Manual (1998) to determine if acid sulfate soils are present, understand whether the proposed works are likely to cause disturbance to any acid sulfate soils and conclude to what extent any disturbance may occur.

The preliminary assessment is completed to:

1. Establish the characteristics of the proposed works,
2. Establish whether acid sulfate soils are present on the site and if they are in concentrations that warrant the preparation of an Acid Sulfate Soil Management Plan,
3. Provide information to assist in designing a soil and water assessment program (if needed),
4. Provide information to assist in decision making and any mitigation measures.

1.6. Acid Sulfate Soil - Site Review

Acid sulfate soil requires time out of the water, exposed to the air, to activate the formation of sulfuric acid. It is understood that due to time and natural ecological action, sediments on the surface of the seabed in this area of up to approximately 0.5m are saturated by overlaying oxygenated waters. This upper layer of sedimentation therefore offers no significant potential of acid sulfate soil.

PILE DRIVING

The piling for the 12 new piles will be completed using the drilling of a socket, approximately up to a maximum depth of 2m into the solid seabed.

Pile driving exerts downwards forces on the seabed and as such the sediment will remain under water, resettling on the seabed quite quickly due to the natural compounds in the water of the area. Any resulting spoil will not be removed from the water and therefore not exposed to the air but may create temporary turbidity of the water. This turbidity will be controlled and minimised to a very small area of circumference using silt curtains. Silt curtains also allow the sediment to resettle quickly post disturbance.

FURTHER CONCERNS

Responding to PLEP 7.1 (6) b), construction works involving piles without any excavation works, will have no material impact on the local water-table (intertidal or sub-tidal), either from the perspective of the level of the water-table or from the perspective of the balance of freshwater vs groundwater vs saline waters.

No other disturbance to the seabed area will be undertaken as part of this proposed development.

1.7. Acid Sulfate Soil - Mitigation Measures

As the project managing entity, Copley Marine Consulting Group requires contractors under its project management banner to adhere to accepted best practise during all constructions works, as will be noted as part of the Construction Environmental Management Plan.

Maritime structures in the Hawkesbury River must be maintained in good and safe repair as per Lease agreements with Crown Lands. This means that piling works will always be necessary and so best practise for acid sulfate soil mitigation has been developed for general use by environmentally conscious contractors. This best practise as outlined below, is the generally accepted best workable mitigation plan for pile works.

Best practise mitigation methods include:

- Use of silt curtains to minimise any movement, specifically outwards spread, of sediment and hasten the settlement process once the disturbance has ceased.
- The use of specific barge mounted piling equipment.
- The washing down, from the water barge, of removed piles prior to relocating them for destruction or reuse. If this immediate washing down is not possible, then the cleaning of said piles into water within a short window (usually 12-18 hours) and the recording of such activities for future reference.

Acid Sulfate Soil Assessment

1.8. Risk Analysis for Acid Sulfate Soil

The existing site is located in a Class 1 area, identifying that there is a “high possibility” of acid sulfate soil present in the area of the proposed works.

The activity being undertaken as part of the project will create some in water [only] temporary disturbance following the piling works. No soil excavation will occur and the small amount (less than 1 tonne) of potential acid sulfate soil disturbed will be highly unlikely to be exposed to air, particularly given the mitigation procedures in place.

As there will be no removal of soil from the water and any disturbance will further be controlled in water, there will be **minimal risk of any exposure** of the soil to the air to trigger any oxidation process and any formation of sulfuric acid.

DPI Fisheries, who have all the required information to make informed consent decisions, have provided their consent for this development to go ahead.

The overall analysis returns a “**low**” **risk level** for any pollutants associated with acid sulfate soil and all information and review results meet the provisions of GLEP 7.1 (6).

1.9. Conclusion

The proposed works are in an area having a Class 1 Acid Sulfate Soil classification which requires an assessment of the associated risk of the works and the impact to the environment.

The piling works will be completed using a piling barge with washing facilities and silt curtains with no soil being removed from the water (or a wet environment) to start the oxidization process. While temporary turbidity of the water will occur, the piling works will be completed individually and hence the volume of disturbance will be limited and closely managed.

Silt curtains, installed prior to works, will be utilised during pile driving and pile removal operations to limit the spread of soil outside of the existing pile driving area and assist in settling it back to the seabed quickly.

The works are therefore classified as **low risk Acid Sulfate Classification** for the site and the implementation of the environmental mitigations above into a Construction Environmental Management Plan will assist in the limiting of the disturbed low volume level of soil.

The proposed development should not require development consent under GLEP 7.1 (2), and therefore there is no requirement for the preparation of an Acid Sulfate Soil Management Plan (GLEP 7.1 (3)) to accompany this proposed development.



H2O Consulting Group Pty Ltd

(Trading As H2O Ecology)

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Web: <https://h2oconsultinggroup.com.au>

Ph: 0414 848 105



Marine Habitat Survey: 88 Glenworth Valley Road, Wendoree Park

May 30, 2019

Disclaimer:

The information used in this document is based on knowledge, understanding and field records at the time of survey. H2O Consulting Group Pty Ltd accepts no liability or responsibility for contents of this report in respect of any use of, or reliance upon, by any third party or for any use other than the purpose of this study.

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Version	Author	Signature	Qualification	Date
R0	David Cummings		BSc (Hon), PhD	30.05.2018

Background

H2O Ecology was engaged by Copley Marine Consulting Group to provide a Marine Habitat Survey of the seabed and surrounding marine habitat at 88 Glenworth Valley Road, Wendoree Park. The property adjoins Mangrove Creek and falls within the Local Government Area (LGA) of Central Coast Council.

The purpose of the Marine Habitat Survey is to support a development application for construction of jetty, ramp and pontoon at the above address. Under Part 4 of the *Environmental Planning and Assessment Act 1979*, NSW Department of Primary Industries (NSW DPI) is a 'determining authority' for integrated developments such as this, where there is potential that marine vegetation may be harmed.

In NSW, the *Fisheries Management Act 1994* (FM Act) provides conservation and protection of fisheries resources, fish habitat and threatened aquatic species in NSW waters. Under the FM Act as well as the New South Wales *Biodiversity Conservation Act 2016* (BC Act) and the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) there are requirements for the protection of estuarine vegetation such as mangroves, saltmarsh and seagrasses.

NSW DPI may make further assessment, evaluations and recommendation that may include stipulating additional mitigation measures as a consent condition for the proposed development after review of this report.

This survey at 88 Glenworth Valley Road, Wendoree Park has been conducted in accordance with the *Policy and Guidelines for Fish Habitat Conservation and Management* (Fairfull 2013).

Objectives

The objectives of this Marine Habitat Survey are to:

- ❖ Provide a clear description of the proposal, marine environment including presence of threatened and/or invasive species and any relevant hydrological features.
- ❖ Where present identify, describe (species & density) and map marine vegetation in the area effected and adjacent areas.
- ❖ Identify potential impacts from the proposed development and where appropriate recommend mitigation measures to ameliorate any environmental effects on the marine environment.

Regional Context

Wendoree Park is located on the eastern shore of Mangrove Creek, a major tributary of the Hawkesbury River. Mangrove Creek is a muddy mangrove lined creek extending from the Hawkesbury River at Spencer to Mangrove Creek Weir, approximately 15 km upstream. With the Mangrove Creek Dam built in 1982 located approximately 30 km up stream, which is the major water supply for Central Coast to the east of its catchment (GWC Water 2013).

The nearest protected aquatic habitat is the Barrenjoey Head Aquatic Reserved located on the southern side of Broken Bay, which is at the mouth of the Hawkesbury River and Broken Bay, approximately 25 km down river

The Hawkesbury River supports an important local oyster industry, however there are no aquaculture activities within the vicinity of the subject site or in Mangrove Creek (NSW DPI 2014).

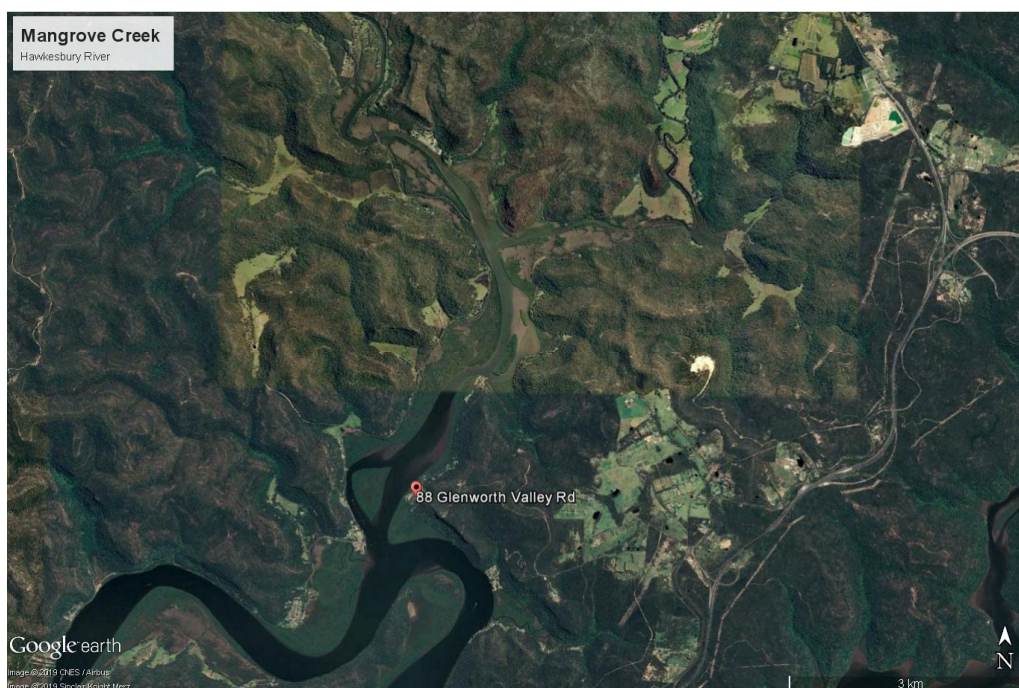


Figure 1: Locality of the proposed development in Mangrove Creek.

Existing Information

Mangroves, saltmarsh and seagrasses are common and of importance within the Hawkesbury River system, with seagrasses more prevalent in the lower reaches of the river. Mangrove Creek is one of the least developed tributaries of the Hawkesbury River system, with a greater area of mangroves (195 ha) and saltmarsh (120 ha) than any other tributary in the Hawkesbury River (Astles *et al* 2010).

NSW DPI habitat maps indicate the common occurrence of mangroves and saltmarsh, but no seagrasses in Mangrove Creek (Creese *et al* 2009). In NSW Coastal Saltmarsh has been listed as an Endangered Ecological Community in the NSW North Coast, Sydney Basin and South East Corner Bioregions under the *Biodiversity Conservation Act 2016*, which also corresponds with the listing of Subtropical and Temperate Coastal Saltmarsh as a Vulnerable Ecological Community under the EPBC Act (Environment Australia 2013). Previous mapping identifies an extensive mangrove community that forms a wide mangrove stand, which flanks the riverbank at the subject site. Saltmarsh communities have also been mapped amongst the mangrove stands near the subject site, including on the island across the river from the subject site and towards the mouth of Mangrove Creek (Figure 2).

Caulerpa taxifolia is a fast growing alga endemic to tropical waters of Australia that has rapidly colonised areas outside its natural range including Pittwater estuary near the mouth of the Hawkesbury River, however *C. taxifolia* has not been reported as far up river as Mangrove Creek (NSW DPI 2015).

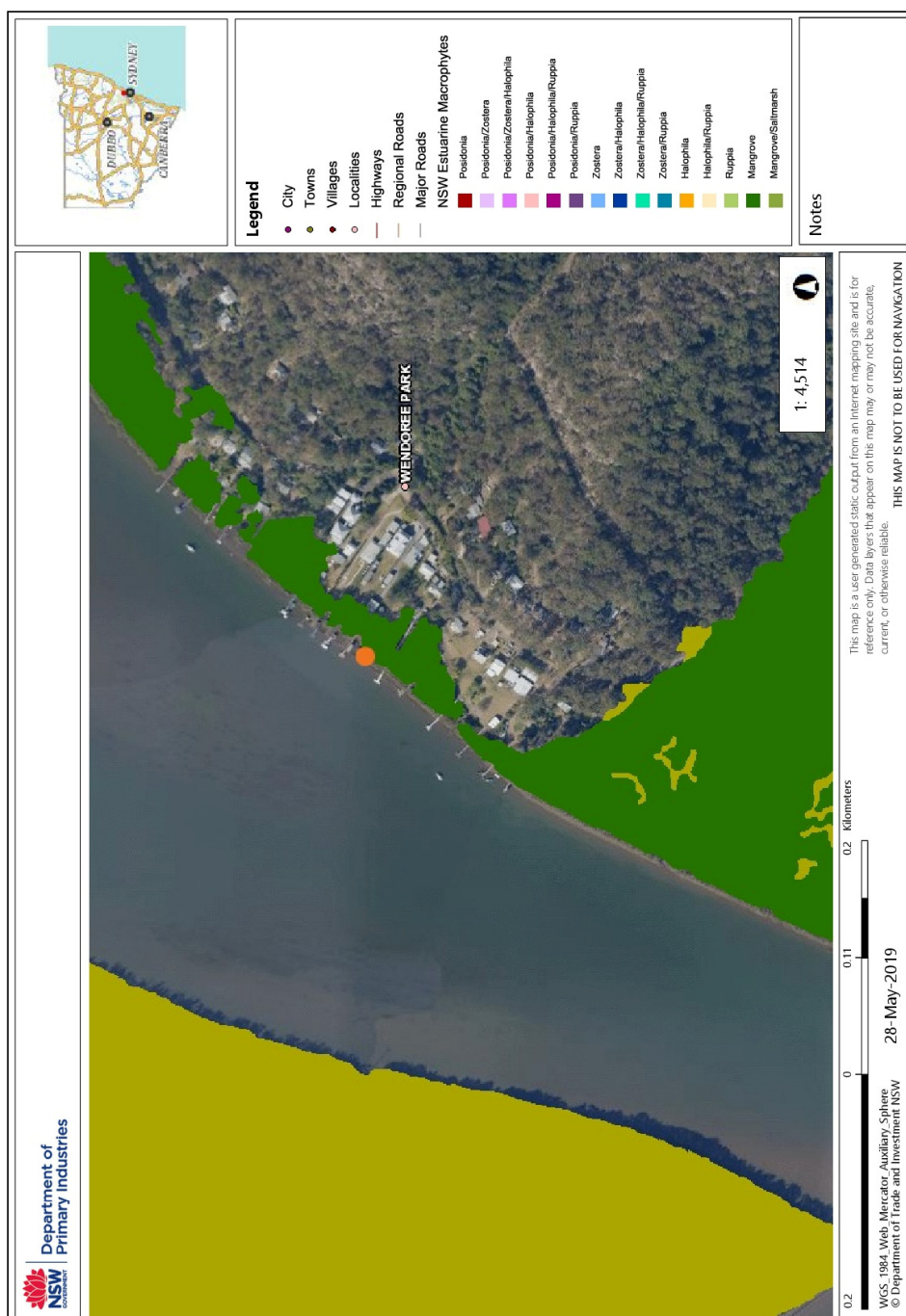


Figure 2: NSW DPI Fisheries mapping in the vicinity of the subject site (Source: NSW DPI 2019).

● Subject site

Description of the Proposed Development

The proposed works include:

- ❖ construction of a timber jetty (35 x 1.5 m);
- ❖ construction of a timber ramp (6 x 1.5 m); and
- ❖ installation of a pontoon (3.6 x 2.4 m).

The jetty is proposed on the northern side of the subject site, through a natural gap amongst the mangrove trees (Figure 3 and 4). As a result the proposal does not occur parallel with the Division of the Waterway (DOW) (Figure 4).



Figure 3: Photo of the subject site where the waterfront structure is proposed.

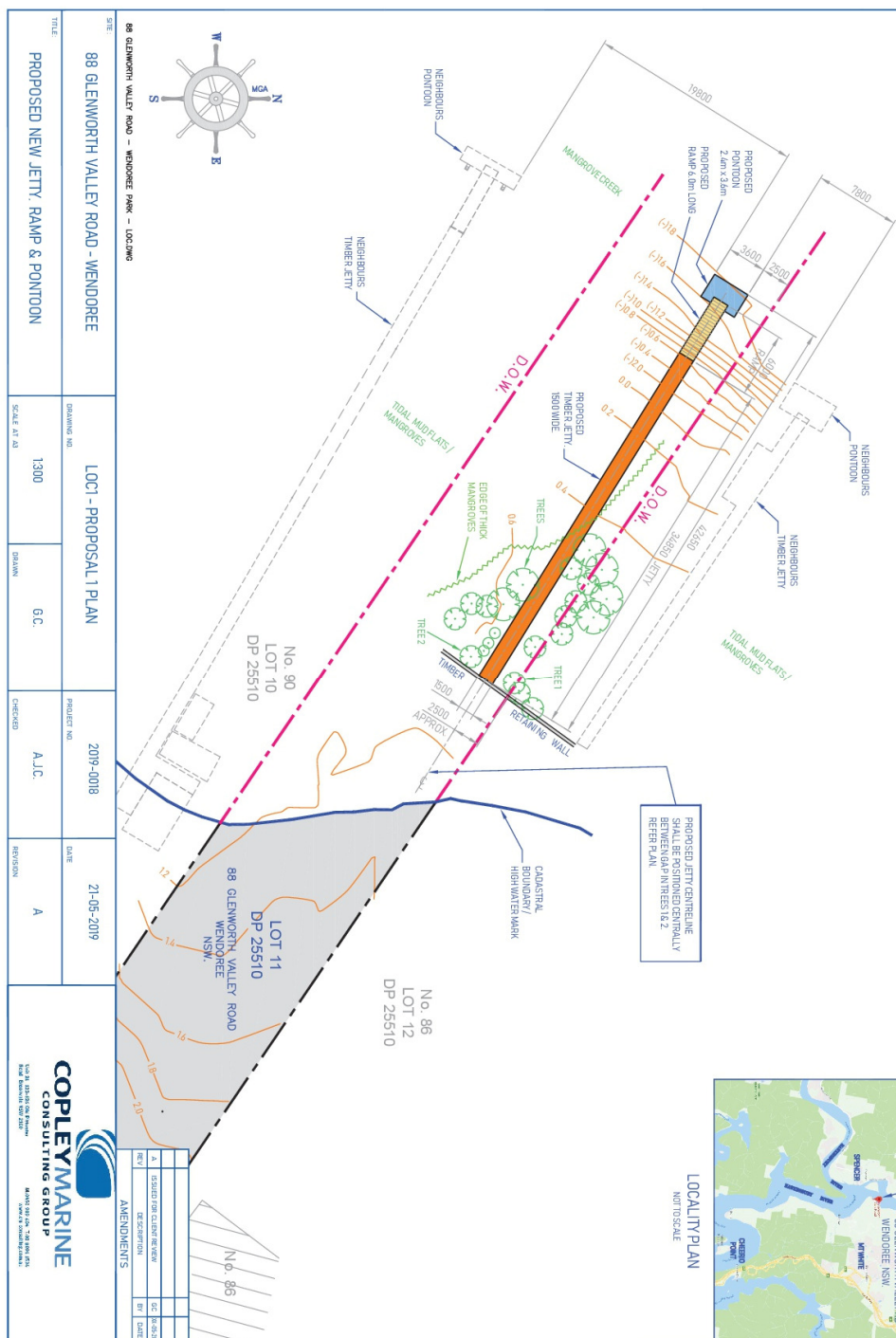


Figure 4: Proposed waterfront structures at the subject site.

Study Methods

The site survey was undertaken at 1430 hrs on the 14th March 2019 at the bottom of the low tide. Tidal predictions for nearby Spencer on the day was a 0.33 m low tide at 1535 hrs. Weather conditions were sunny with light north-westerly winds. The water at the subject site was very turbid with zero in-water visibility, which is typical for Mangrove Creek.

The survey area was along the mangrove lined waterfront of the subject site and extended approximately 45m from the shore. The area surveyed included intertidal habitat within 10 m of the proposed works. The survey was conducted by inspection from the shore and wading along the shoreline at low tide to inspect the nearshore subtidal areas for evidence of seagrasses using a macrophyte sampler. All mangrove trees in the immediate vicinity (approximately 3 m) of the proposal footprint were marked with flagging tape for incorporation into the survey plans of the subject site. Additional notes and measurements were also taken with a survey tape to record information on features of interest and to develop a mud map of the site. Marine habitat and features of interest were photographed using an underwater digital camera. Marine habitat was described based on dominant flora and fauna observed.

Data obtained during the site survey along with aerial imagery was used to develop a habitat map for the study area.

Survey Results

The adjoining shoreline in the immediate vicinity of the subject site (100-200m) was slightly sloping, before rising steeply to a high ridge line (150m above sea level). There is a treated pine log retaining wall approximately 1 m in height at the back of the mangrove stand that acts as a seawall and minimises the potential for shoreline erosion at the subject site. Similar jetties, ramps and pontoons to that proposed were observed to the north and south of the subject site (Figure 5).



Figure 5: Similar waterfront structures to the proposed to the (a) north, and (b) south of the subject site.

Description of the Marine Habitat

The intertidal zone at the subject site consisted of an extensive mangrove stand which extended to the muddy shoreline in lower areas (Figure 6). The mangrove stand at the subject site was between 20 and 30 m in width in front of the subject site. On the southern side of the subject site the mangrove stand was at its widest, where it also extended landward another 30 m (Figure 7). The stand included canopy forming grey mangroves (*Avicennia marina*) (Figure 6) and the mid-storey forming river mangrove (*Aegiceras corniculatum*) (Figure 6). In the immediate vicinity of the proposal footprint there were large mature grey mangrove trees and an abundance of very small mangrove saplings. The grey mangroves provided a good mangrove canopy cover over the subject site (Figure 6), however there was no mid-storey canopy within this part of the mangrove stand. As a result, the mangrove stand in the vicinity of the proposal footprint was very open to the adjacent creek. This was consistent with habitat within the proposal footprint and on the northern side of the subject site. On the northern side of the subject site and along the creeks edge (Figure 6) to the north a dense mid-storey of river mangroves was present amongst the grey mangroves. Some mangrove dieback was also noted near the southern boundary of the site near the edge of previously reclaimed area (Figure 8). Between the mangroves and the Low Water Mark (LWM) the mangrove pneumatophores extended another 5 to 10 m toward the water edge, before habitat transitioned into deep silty unvegetated muds (Figure 8).

The deep silty muds continued into subtidal areas, which became much more steeply sloping along the water edge and into the deeper tidal channel. The sediments were very silty and water was very turbid (Figure 9), as a result subtidal habitat was not suitable for the establishment of any seagrasses.



Figure 6: Typical intertidal habitat of (a) large canopy forming grey mangroves, and (b) dense river mangroves, within the study area.

Threatened species

No threatened species, populations or communities were observed in the study area including the Coastal Saltmarsh Community.

Introduced Species

No introduced species including the invasive green alga *Caulerpa taxifolia* or introduced Pacific oyster *Crassostrea gigas* were observed in the study area.



Figure 7 Map of mangrove habitat in the study area.

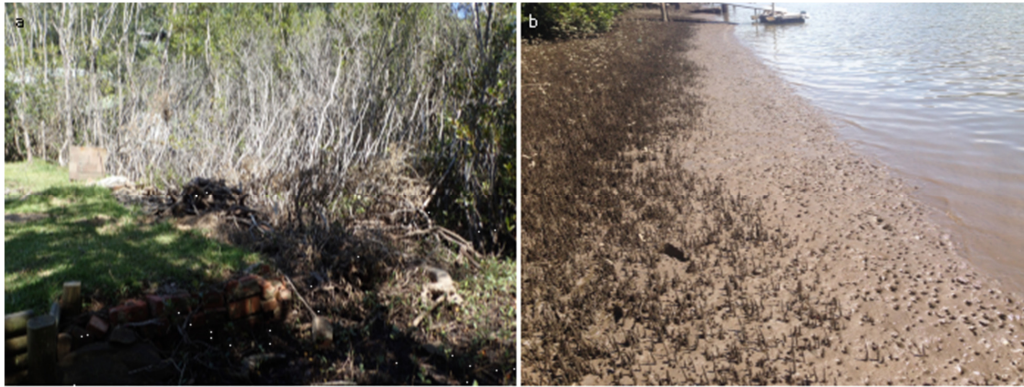


Figure 8: Photos of (a) mangrove die back on the southern side of the study area, and (b) mangrove pneumatophores and unvegetated muds extending along the shoreline.



Figure 9: Photo of the muddy subtidal habitat along the shoreline.

Conclusions and Recommendations

Effects on the marine environment from the proposed structures are likely to include:

- ❖ Potential for short term increases in turbidity during installation of the jetty footings. Given that the site is naturally very turbid, impacts on water quality are likely to be minimal.
- ❖ Disturbance of intertidal habitat, which contains mangrove pneumatophores and small saplings from construction of the jetty footings. Only a small amount of habitat will be disturbed, and construction impacts can be managed by limiting works to the use of hand tools inside the mangrove stand.
- ❖ Some disturbances and possible loss of benthic habitat during installation of the jetty footings. Only a small amount of habitat consisting of primarily muddy sediments will be disturbed, of which there is similar habitat in the immediate vicinity.
- ❖ Increased shading of benthic habitats under the jetty. Habitat under the proposed jetty consists of mangrove pneumatophores, small saplings and unvegetated silty muds. Impacts from shading will likely be limited to a reduction in mangrove sapling establishment under the jetty.
- ❖ Creation of artificial habitat from the permanent presence of in-water structures. This may increase fish presence and provide additional substrate for sessile invertebrates. Given the presence of numerous nearby structures it is expected that these structures would be colonised by biota similar to that found on the nearby structures.

The proposed development is not expected to have a negative impact on any threatened or endangered species, populations or communities in the area. The endangered seagrass *Posidonia australis* population or Coastal Saltmarsh Community does not occur at the subject site. Impacted habitat is confined to some potential disturbance of mangroves (pneumatophores and small saplings) and unvegetated muddy sediments in subtidal areas. Impacts on mangroves are predicted to be minimal and not expected to effect mangrove canopy cover at the subject site, with the structure having been designed to avoid removal or trimming of any mature mangrove trees (Figure 4). It is likely mangrove saplings will likely continue to establish in available sediments either side of the proposed jetty.

Construction works have potential to impact on the mangrove habitat. Given this, the following safeguards are recommended for adoption into the Construction Environmental Management Plan (CEMP):

- ❖ No mangrove branches should be trimmed.
- ❖ All excavation works in the mangrove stand should be done with hand tools only.
- ❖ Excavation works should be avoided within the structural root zone of the mangrove trees.
- ❖ No materials should be stored or placed on the floor of the mangrove stand to reduce trampling and disturbance of mangrove pneumatophores.

- ❖ Raised boards should be used to access the mangrove stand during construction works and minimise trampling of the mangrove pneumatophores.

Given no invasive or introduced species were observed in the vicinity of the subject site, it is unlikely the proposed works may introduce and/or facilitate the spread of invasive species. Thus, care should still be taken to ensure construction equipment is clean and does not introduce invasive species during mobilisation to the site.

In summary, the proposed development at 88 Glenworth Valley Road, Wendoree Park will result in some disturbance of the mangrove stand however the removal or trimming of mature mangrove trees is not expected. Those impacts that do occur will likely be confined to disturbance during construction works.

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Construction Environment Management Plan

88 Glenworth Valley Rd, Wendoree Park



Prepared By:

Copley Marine Consulting Group Pty Ltd

On Behalf of Client:

Liam Harper

Address:

88 Glenworth Valley Rd, Wendoree Park

Date of issue:

18/01/2022

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Document Control

Rev	Date	Amendment Description	Author	Initials	Review	Initials
A	6/01/2022	Draft for SEARs	K. Fisher	KF	N/A	

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Construction Environment Management Plan

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Construction Environment Management Plan

1. Construction Environment Management Plan**1.1. Introduction**

This Construction Environment Management Plan (CEMP) is for the works associated with a Development Application (DA) to Central Coast Council for the installation of a new waterfront structure including a jetty, ramp and pontoon at a site below the M.H.W.M adjoining land at 88 Glenworth Valley Rd, Wendoree Park.

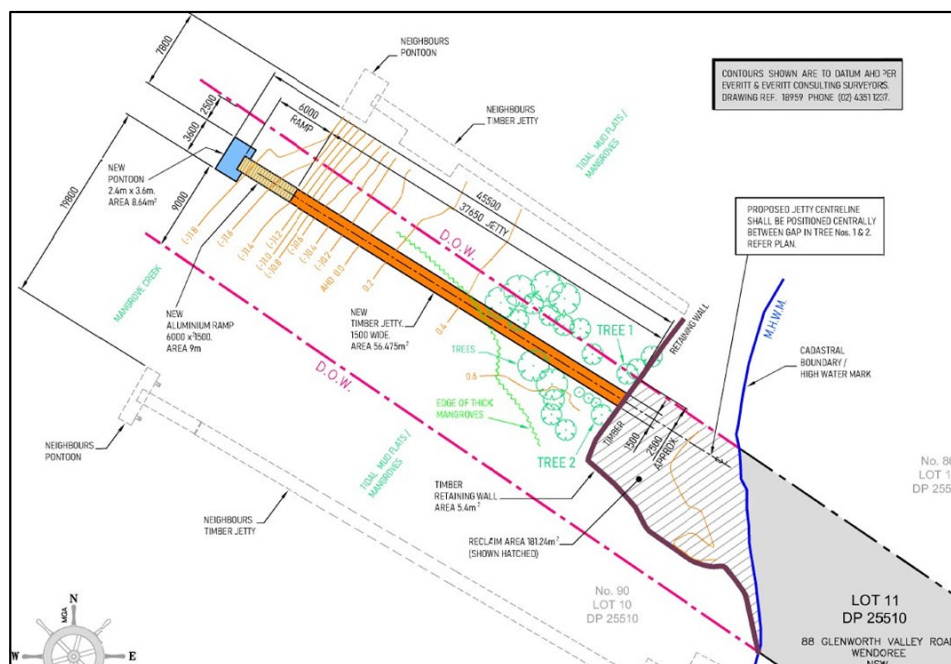


Figure 1 - Proposed works extract

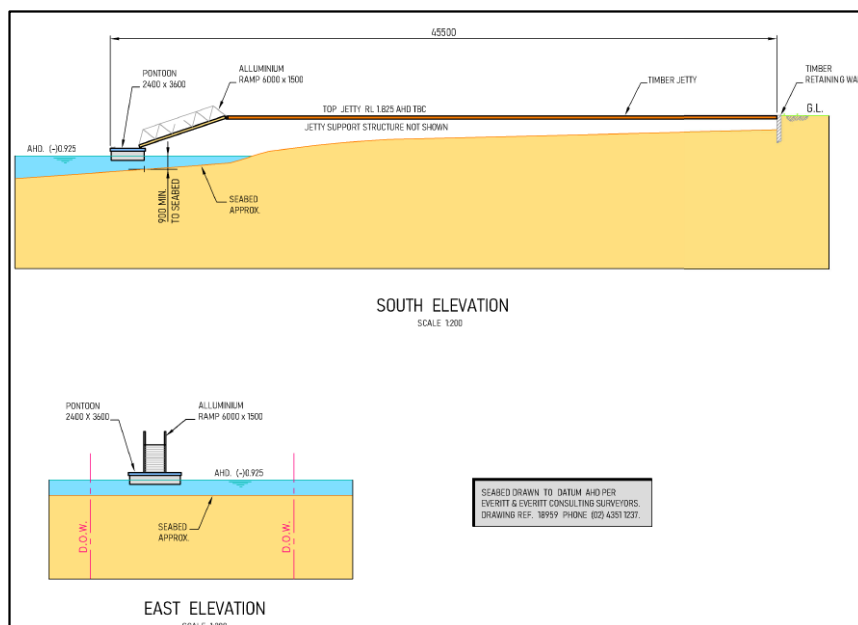


Figure 2 - Proposed works - elevations

Construction Environment Management Plan

1.2. Duration of Construction

The onsite construction of the proposed structures will be of not more than 12 weeks duration in total.

1.3. Staging of Construction

There is no staging of construction with all works starting subject to weather patterns, as per the following:

- a) Installation of a new timber jetty (37.65 x 1.5m).
- b) Installation of a new aluminium ramp (6.0 x 1.5m).
- c) Installation of a new floating pontoon (2.4 x 3.6m).

1.4. Site Induction

All workers and visitors will be given a relevant site induction.

Access from the street is restricted and a specific accident action plan will be introduced as well as consideration of methods for transporting any supplies from the street.

All deliveries will be from the water.

1.5. Worksite Access, Routes & Waterway clearances

Access to the worksite will be predominantly from the water where a barge will be anchored, with deliveries and some personnel commuting by punt from a boat ramp. There may be instances however, of some personnel and consultants using street access, which will be monitored and contained as required.

All large materials will be delivered from the water.

The water depth is sufficient for the work barge, and it will be kept in front of the property, minimally impacting on other users of the waterway.

1.6. Storage of Equipment

All debris, materials and equipment will be stored daily on the barge and waste will be removed daily by boat.

There will be no stockpiling of equipment, materials or debris on the foreshore of the property or intertidal zone.

Refuelling at the site will be carried out using the appropriate spill containment equipment.

1.7. Public Safety, Amenity and Site Security

The site will be closed off and only workers will be allowed onsite.

1.8. Operating Hours, Noise and Vibration Controls

Construction hours will be restricted to between 7.30am and 4.30pm weekdays. No works will occur on Saturdays, Sundays or public holidays.

Works will be carried out with a crane barge, an excavator and portable tools, all of which are noise attenuated and only to be used within operating hours.

1.9. Environmental Mitigation Measures

The following measures will be implemented, as per recommendations from the Marine Habitat Survey during constructions works at the site:

- No mangrove branches should be trimmed.
- All excavation works in the mangrove stand should be done with hand tools only.
- Excavation works should be avoided within the structural root zone of the mangrove trees.
- No materials should be stored or placed on the floor of the mangrove stand.
- Raised boards should be used to access the mangrove stand during construction works.
- Care should be taken to ensure construction equipment is clean and does not introduce invasive species during mobilisation to the site.

1.10. Air and Dust Management

Chain sawing of timber (including piles) will produce sawdust, which will be contained within the confines of the work craft. No sawdust will be allowed to enter the surrounding waterway.

Neighbouring craft will be cleaned daily if dust is blown towards them. Waste will be removed daily and stored covered on barges until disposed of at a suitable licenced waste facility.

1.11. Stormwater and Sediment Control

The natural flow of ground and surface water will not be affected. Any sedimentation or soil erosion that may occur during construction will be controlled by standard onsite construction methods, these being:

- Conscious and deliberate minimisation of construction waste sediment produced by the installation of the piles.
- Use of silt curtains during installation.

1.12. Waste

Equipment, materials and waste will be transported from the site directly to the barge for storage or disposal.

Waste will be disposed of at a licensed waste facility or recycled.

Construction Environment Management Plan

1.13. Complaints & Incidents Handling

Any complaints from the public or authorities will be treated seriously and with discretion. Complaints will be directed to the Site Manager (once appointed) in the first instance and dependent upon the circumstances and the source of the complaint, a response to the complainant may be made either directly on the phone, or by email / letter within a reasonable timeframe.

Any incidents – accidents and near miss accidents– will be investigated by close of business on the day in which they occur, and a full report will be recorded by the Site Manager. Serious incidents such as trauma, serious injury or fatality, will be reported to WorkCover.

Any injuries will be reported to the Site Manager as listed above. Injuries will be recorded in a Site Injury Register. If the injury is likely to result in an absence from the workplace of 7 days or more, then the injury and its circumstances will be reported to WorkCover (within 48hrs verbally and in writing within 7 days) using the WorkCover Incident Report Form.

1.14. Company Contact

Project Manager

Alister Copley

Copley Marine Consulting Group

Level 2, 802 Pacific Highway

Gordon NSW 2072

(02) 9844 5428



Visual Impact Assessment

88 Glenworth Valley Rd - Wendoree Park

Examination of the proposed site adjoining 88 Glenworth Valley Rd - Wendoree Park at Mean High Water Mark yields the following visual impacts:

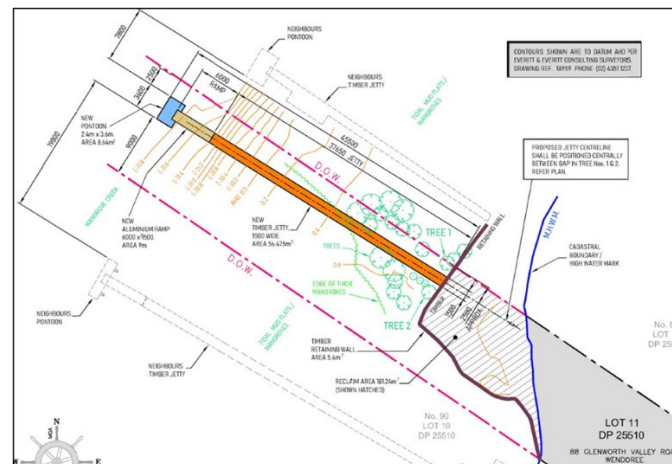
- Proposed structure is in line with neighbouring structures.
- Proposed structure is the minimal needed to meet required water depths and is low lying.
- Public access is not impeded.

These statements are supported by the following photos. It is concluded that there will be nil visual impact of the proposed development on public vantage points or private receptors.



4.1
Attachment 7

DA/63420/2021 - 88 Glenworth Valley Road, Wendoree Park - DESIGNATED & INTEGRATED Jetty, Wharf & Pontoon
Visual Impact Assessment 88 Glenworth Valley Road WENDOREE PARK DA/63420/2021 [PAN-154850]





Environmental Impact Statement

Installation of a new jetty, ramp and pontoon

88 Glenworth Valley Rd - Wendoree Park

**Prepared By:**

Copley Marine Consulting Group Pty Ltd* (see below)

On Behalf of Client:

Liam Harper

Address:

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Environmental Impact Statement

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This Environmental Impact Statement has been prepared in accordance with the *Environmental Planning & Assessment Regulation 2000, Schedule 2, Cl. 6-7*, contains all available information that is relevant to the environmental assessment of the development to which it relates, and the information contained in the statement is neither false nor misleading.

Document Control

Rev	Date	Amendment Description	Author	Initials	Review	Initials
A	10/01/2022	SEARs draft	K. Fisher	KF	A. Copley	

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Environmental Impact Statement

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Environmental Planning and Assessment Regulation 2000

Schedule 2, cl. 6-7.

<p>6 Form of environmental impact statement</p> <p>An environmental impact statement must contain the following information—</p> <p>(a) the name, address and professional qualifications of the person by whom the statement is prepared,</p> <p>(b) the name and address of the responsible person,</p> <p>(c) the address of the land—</p> <p style="padding-left: 20px;">(i) in respect of which the development application is to be made, or</p> <p style="padding-left: 20px;">(ii) on which the activity or infrastructure to which the statement relates is to be carried out,</p> <p>(d) a description of the development, activity or infrastructure to which the statement relates</p> <p>(e) an assessment by the person by whom the statement is prepared of the environmental impact of the development, activity or infrastructure to which the statement relates, dealing with the matters referred to in this Schedule,</p> <p>(f) a declaration by the person by whom the statement is prepared to the effect that—</p> <p style="padding-left: 20px;">(i) the statement has been prepared in accordance with this Schedule, and</p> <p style="padding-left: 20px;">(ii) the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates, and</p> <p style="padding-left: 20px;">(iii) that the information contained in the statement is neither false nor misleading</p>	<p style="text-align: center;">Compliant.</p> <p style="text-align: center;"><i>Outlined in this document.</i></p>
<p>7 Content of environmental impact statement</p> <p>(1) An environmental impact statement must also include each of the following—</p> <p>(a) a summary of the environmental impact statement,</p> <p>(b) a statement of the objectives of the development, activity or infrastructure,</p> <p>(c) an analysis of any feasible alternatives to the carrying out of the development, activity or infrastructure, having regard to its objectives, including the consequences of not carrying out the development, activity or infrastructure,</p> <p>(d) an analysis of the development, activity or infrastructure, including—</p> <p style="padding-left: 20px;">(i) a full description of the development, activity or infrastructure, and</p> <p style="padding-left: 20px;">(ii) a general description of the environment likely to be affected by the development, activity or infrastructure,</p>	<p style="text-align: center;">Compliant.</p> <p style="text-align: center;"><i>Outlined in this document.</i></p>

Environmental Impact Statement

<p>together with a detailed description of those aspects of the environment that are likely to be significantly affected, and</p> <p>(iii) the likely impact on the environment of the development, activity or infrastructure, and</p> <p>(iv) a full description of the measures proposed to mitigate any adverse effects of the development, activity or infrastructure on the environment, and</p> <p>(v) a list of any approvals that must be obtained under any other Act or law before the development, activity or infrastructure may lawfully be carried out,</p> <p>(e) a compilation (in a single section of the environmental impact statement) of the measures referred to in item (d)(iv),</p> <p>(f) the reasons justifying the carrying out of the development, activity or infrastructure in the manner proposed, having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development set out in subclause (4).</p> <p><i>Note. A cost benefit analysis may be submitted or referred to in the reasons justifying the carrying out of the development, activity or infrastructure.</i></p> <p>(2) Subclause (1) is subject to the environmental assessment requirements that relate to the environmental impact statement.</p> <p>(3) Subclause (1) does not apply if—</p> <p>(a) the Planning Secretary has waived (under clause 3(9)) the need for an application for environmental assessment requirements in relation to an environmental impact statement in respect of State significant development, and</p> <p>(b) the conditions of that waiver specify that the environmental impact statement must instead comply with requirements set out or referred to in those conditions.</p> <p>(4) The principles of ecologically sustainable development are as follows—</p> <p>(a) the precautionary principle, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by—</p> <p style="padding-left: 40px;">(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and</p> <p style="padding-left: 40px;">(ii) an assessment of the risk-weighted consequences of various options,</p> <p>(b) inter-generational equity, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,</p> <p>(c) conservation of biological diversity and ecological integrity, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,</p>	
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Environmental Impact Statement

<p>(d) improved valuation, pricing and incentive mechanisms, namely, that environmental factors should be included in the valuation of assets and services, such as—</p> <ul style="list-style-type: none"> (i) polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems. 	
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SEARs Checklist

(SEAR Number 1627 dated 24 December 2021)

General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000.	Compliant.
Key Issues	<p>Strategic and statutory context.</p> <ul style="list-style-type: none"> - a detailed justification for the proposal and suitability of the site for the development. - a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies. - a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out. - plans depicting the proposed layout. 	<p>Addressed.</p> <p><i>Outlined in this document.</i></p>

Environmental Impact Statement

	<p>Biodiversity.</p> <ul style="list-style-type: none"> - accurate predictions of any vegetation clearing on site. - a detailed assessment of the potential impacts on any threatened species, populations, endangered ecological communities or their habitats, groundwater dependent ecosystems and any potential for offset requirements. - the hydrology of the wetland in relation to the ecological and hydrological function of the wetland, including drainage through the wetland, particularly changes to the depth of standing water and any effects on survival of the wetland plants. - clear mapping of any overlap between proposed structures and the mangroves, including during construction. - the extent of any proposed harm to marine vegetation (mangroves, saltmarsh or seagrass) and a description of the species involved. - details of weed management during construction and operation in accordance with existing State, regional or local weed management plans or strategies. - a detailed description of the measures to avoid, minimise, mitigate and/or offset biodiversity impacts. 	<p>Addressed.</p> <p><i>Outlined in this document, the included Marine Habitat Survey (MHS) and the included Construction Environment Management Plan (CEMP).</i></p>
	<p>Soil and water.</p> <ul style="list-style-type: none"> - a description of local soils, topography, drainage and landscapes. - details of sediment and erosion controls. - a detailed site water balance. - an assessment of the potential impacts of the proposal in line with the Natural Resource Access Regulators' <i>Guidelines for controlled activities on waterfront land</i>. - an assessment in accordance with ASSMAC Guidelines for the presence and extent of acid sulfate soils (ASS) and potential acid sulfate soils (PASS) on the site and, where relevant, appropriate mitigation measures. - details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts. - a description and appraisal of impact mitigation and monitoring measures. 	<p>Addressed.</p> <p><i>Refer to included CEMP, MHS and Acid Sulfate Soil Assessment (ASSA).</i></p>

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	Hazards and risk. - an assessment of the risk of bushfire, including addressing the requirements of <i>Planning for Bush Fire Protection 2019</i> (RFS). Any proposed Asset Protection Zones must not adversely affect environmental objectives (e.g. buffers). - any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations to address this.	Not applicable. <i>Central Coast Council online Mapping Tool checked.</i> <i>Structure is Class 10b.</i> <i>Geotechnical addressed in this document.</i>
	Waterway management. - a description of the use and occupation of the Crown waterway, including all jetties, pontoons, mooring poles, ramps, retaining walls, reclamation, mooring/berthing areas. - details of the consultation process with the Department, as the landowner, noting the requirements for landowner's consent. - details of the legislative functions proposed to authorise the use and occupation of affected Crown waterway, e.g. domestic waterfront licence under the <i>Crown Land Management Act 2016</i> .	Addressed. <i>DPIE Crown Lands consulted – Landowners Consent included.</i>
	Waste management. - details of waste handling including, transport, identification, receipt, stockpiling and quality control including off-site reuse and disposal.	Addressed. <i>Refer to included CEMP.</i>
	Air quality. - a description of all potential sources of air and odour emissions during construction.	Addressed. <i>Refer to included CEMP.</i>
	Visual. - an impact assessment at private receptors and public vantage points.	No impact. <i>Visual Impact Statement included in this application.</i>

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	<p>Heritage.</p> <p>- assessment of Aboriginal and non-Aboriginal cultural heritage.</p>	<p>No impact.</p> <p>NSW Office of Premier and Cabinet and Darkinjung Local Aboriginal Land Council informed.</p> <p>Central Coast Council online Mapping Tool checked.</p> <p>Request sent for Aboriginal Heritage Information Management System (AHIMS) search.</p>
<p>Environmental Planning Instruments and other policies</p>	<ol style="list-style-type: none"> 1. State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 2. State Environmental Planning Policy (Coastal Management) 2018 3. State Environmental Planning Policy (Koala Habitat Protection) 2021 4. Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No 2 – 1997) 5. Gosford Local Environmental Plan 2014 6. Relevant development control plans and section 7.11 plans. 	<p>Compliant.</p> <p>Applicable EIs discussed in this document.</p> <p>SEPPS at 1 & 3 do not apply for this site / proposed development. No vegetation clearing proposed and no Koala habitat at the site.</p>

Environmental Impact Statement

<p>Consultation</p>	<ul style="list-style-type: none"> • Department of Planning, Industry and Environment, specifically the: <ul style="list-style-type: none"> o Crown Lands Division • Department of Regional NSW, specifically: <ul style="list-style-type: none"> o Department of Primary Industries – Fisheries • Darkinjung Local Aboriginal Land Council • Central Coast Council • The surrounding landowners and occupiers that are likely to be impacted by the proposal 	<p>Compliant.</p> <p><i>DPIE Crown Lands consulted – Landowners Consent included.</i></p> <p><i>DPI Fisheries consulted – Letter included.</i></p> <p><i>Central Coast Council being consulted as part of this application and will formally consult impacted surrounding landowners and occupiers.</i></p> <p><i>Proponent has also consulted with surrounding neighbours, and all have confirmed their support for the development.</i></p> <p><i>Darkinjung Local Aboriginal Land Council informed re proposed development via their online contact system on 10/1/2022 @1.51pm (AED).</i></p>
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Environmental Impact Statement

1. Installation of a new jetty, ramp and pontoon**1.1. Introduction**

This Environmental Impact Statement (EIS) is prepared in response to the Planning Secretary's Environmental Assessment Requirements (SEARs) Number 1627 dated 24 December 2021 as part of a Development Application (DA) for Central Coast Council for the installation of a new waterfront structure including a jetty, ramp and pontoon.

Landowners consent for the proposed works was granted on 9 September 2021 (Reference: 20/10585; LOC No: 624010).

We believe that the principles of ecologically sustainable development have been satisfied.

The existing site includes:

- a timber retaining that extends the length of the lot and an area of reclamation.

The works will consist of:

- Installation of a new timber jetty (37.65 x 1.5m).
- Installation of a new aluminium ramp (6.0 x 1.5m).
- Installation of a new floating pontoon (2.4 x 3.6m).

88 Glenworth Valley Rd - Wendoree Park is the land abutting the site. The site is located on the eastern foreshore of Mangrove Creek near the junction of the Hawkesbury River in Wendoree Park. The site is located within other residential dwellings including waterfront access structures and mooring pens.

The waterfront along this area is residential access with public thoroughfare access permitted along the Mean High Water Mark (M.H.W.M.).

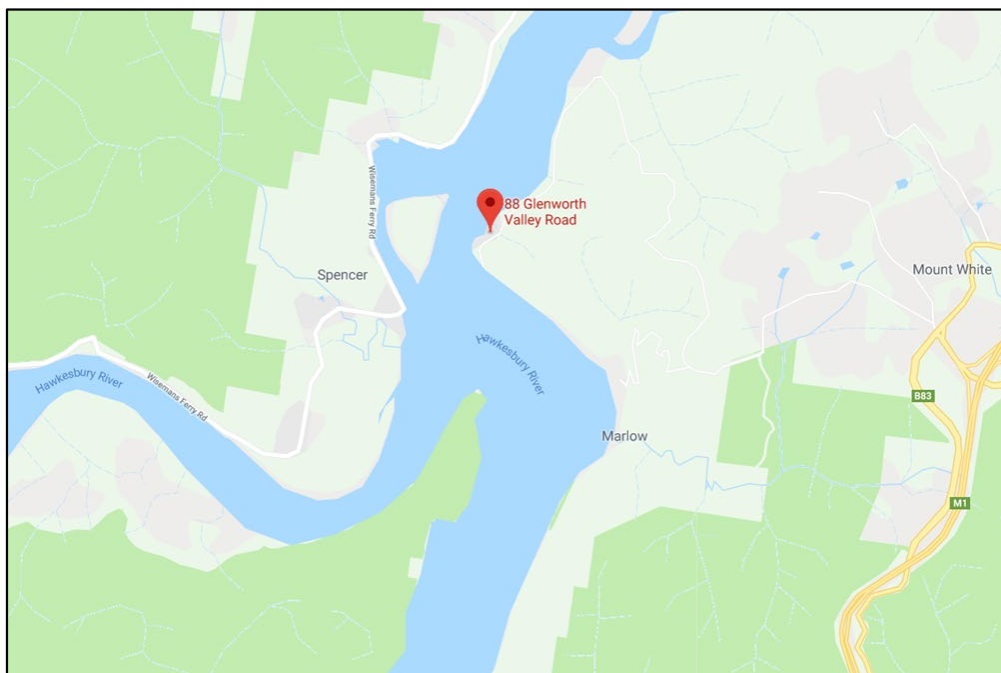


Figure 1 - The site is on the Hawkesbury River, on the eastern foreshore of Mangrove Creek

1.2. Site Improvements

The existing site is tidal and abuts the water at Mean High Water.

It includes:

- a timber retaining wall that extends the length of the lot and an area of reclamation.



Figure 2 – View from the site of the neighbouring facility to the north

Environmental Impact Statement



Figure 3 – View from the site of the neighbouring facility to the south



Figure 4 –Site showing timber retaining wall and reclamation

1.3. Proposed Works

The proponents seek development consent for the installation of a new waterfront structure consisting of a fixed jetty, ramp and floating pontoon.

The works will consist of the following:

- Installation of a new timber jetty (37.65 x 1.5m).
- Installation of a new aluminium ramp (6.0 x 1.5m).
- Installation of a new floating pontoon (2.4 x 3.6m).

The location of the structure has been designed to ensure that there is no requirement for any native flora to be trimmed or modified. This further supported in the included Marine Habitat Survey (MHS) discussions.

Landowners consent for the proposed works was granted on 9 September 2021 (Reference: 20/10585; LOC No: 624010).

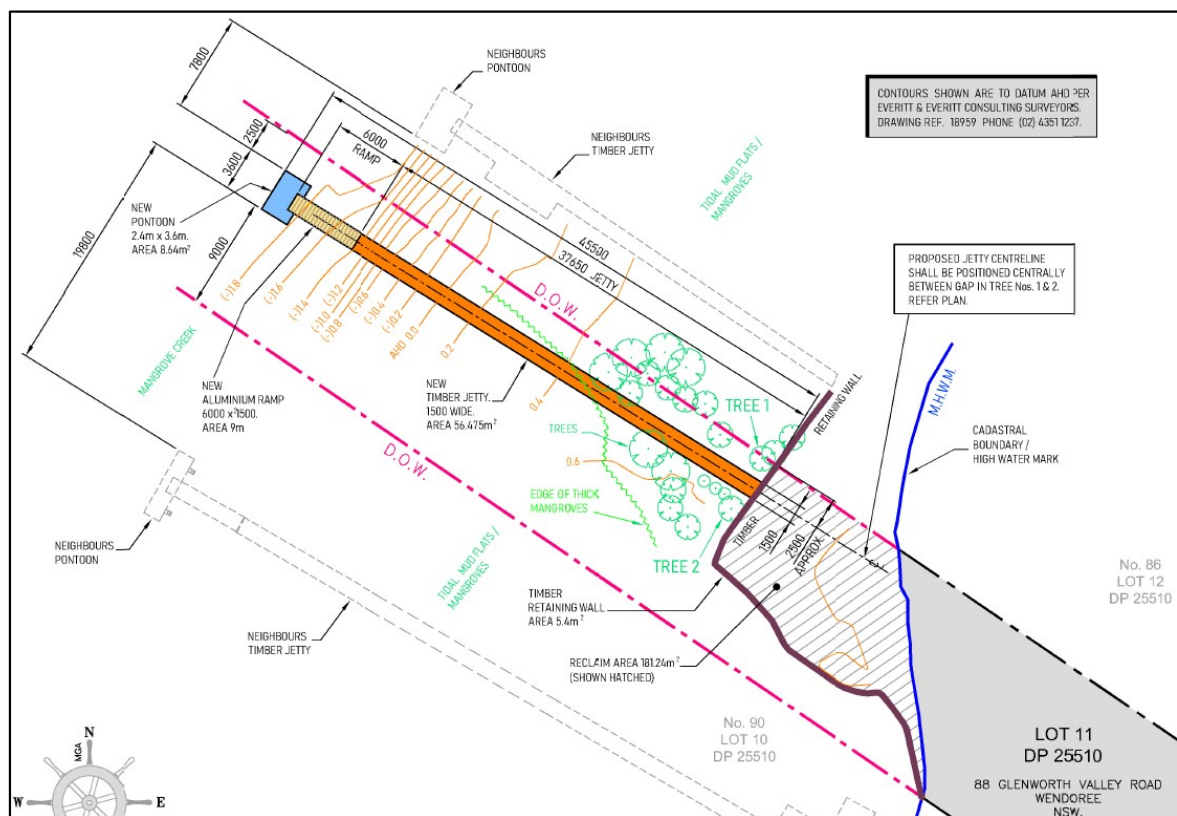


Figure 5 – Proposed works extract

Environmental Impact Statement

1.4. Environmental Zoning and Planning Controls

The area is subject to the following Environmental Planning instruments:

- Gosford Local Environmental Plan (GLEP) 2014
- Gosford Development Control Plan 2013
- Gosford Planning Scheme Ordinance 2013 (noted but not relevant)
- Interim Development Order Gosford LEP 2015 (noted but not relevant)
- SEPP (Coastal Management) 2018
- Sydney Regional Environmental Plan (SREP) No.20 – Hawkesbury Nepean River (No 2-1997)
- Natural Resource Access Regulators' (NRAR) Guidelines for controlled activities on waterfront land – Riparian corridors (2018)

Other relevant planning controls include:

- Environmental Planning and Assessment Act 1979
- Fisheries Management Act 1994
- AS3962-2020 Guidelines for the Design of Marinas.
- Policy & Guidelines for Aquatic Habitat & Fish Conservation.
- Threatened Species Consideration.
- Environmental Actions for Marinas, Boatsheds & Slipways 2007

1.4.1. Gosford Local Environmental Plan 2014

The subject site is zoned C2 – Environmental Conservation (Is E2 under GLEP 2014) and W2 – Recreational Waterways (below the MHWL) under the Central Coast Council LEP online mapping tool.

Works for 'Water Recreation Structures' are **permissible with consent** in this waterways zone.

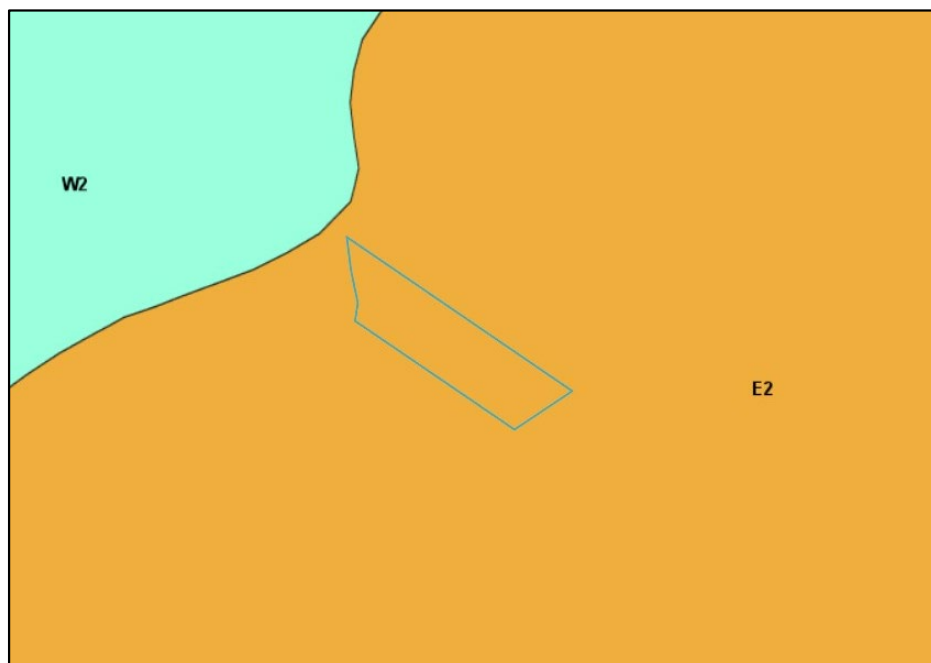


Figure 6 – Gosford LEP online mapping tool: site location and zoning

1.4.2. Gosford Development Control Plan 2013

This site is not located within a DCP waterway controls area. To ensure however, that any modifications are duly assessed for any environmental impact, the proposal for a new jetty, ramp and pontoon has been assessed against:

- **Part 3 Chapter 3.16. – Water Recreation Structures.**

The following is a review of the desired outcomes for the proposal.

Objectives of Development	Response
<i>Retain areas of public foreshore and adjoining water and maintain them so as to highlight their natural character;</i>	The proposed structure is designed in accordance with many similar structures in the immediate and surrounding area. Public access is not impeded by the proposed structure.
<i>Extend public foreshore access to the fullest extent;</i>	Public access is not changed by the proposed structure.
<i>Ensure that development has regard for and is sympathetic towards the existing character of adjoining land when viewed from the waterway;</i>	The proposed structure is designed in accordance with many similar structures in the immediate and surrounding area. The location of the proposed structure specifically considers the surrounding ecology and is positioned to seamlessly blend into the surrounding area and does not require removal of any existing native flora by being built in existing gaps.
<i>Promote an equitable use of the waterway amongst adjoining landowners through the minimisation of encroachments by individual waterfront structures in front of adjoining waterfront properties;</i>	The proposed structure does not encroach on any adjoining waterfront properties. The line of the proposed structure along the Division of Waterways, is to preserve the native surrounding flora.
<i>Facilitate private boat usage, where a reasonable depth of water can be obtained without dredging;</i>	The proposed structure will facilitate a better use of private boats by offering safe access for the proponents to their property in all tidal conditions. No dredging is proposed.

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Objectives of Development	Response
<i>Encourage innovative design and the use of shared structures where appropriate, to minimise the extent of individual residential waterfront development;</i>	<p>The proposed structure is designed in accordance with many similar structures in the immediate and surrounding area.</p> <p>The location of existing waterfront facilities on neighbouring sides of the proposed structure, does not allow for shared usage.</p> <p>The design is innovative for this proposed structure as it is sited so as not to require removal of existing native flora.</p>
<i>Minimise fragmentation and alienation of shallow inshore areas, particularly those that adjoin public foreshore recreation reserves and/or which afford or have potential for public foreshore access or which are important estuarine habitats;</i>	Not applicable.
<i>Ensure that development has regard for and does not adversely affect important estuarine flora including seagrasses, mangroves and saltmarshes or fauna habitats and fishing grounds which may be in proximity to the proposed development;</i>	<p>The MHS attached as Appendix 2.2. concludes that the proposed development will have minimal impact on the surrounding flora, specifically on the surrounding Mangroves.</p> <p><i>"In summary, the proposed development at 88 Glenworth Valley Road, Wendoree Park will result in some disturbance of the mangrove stand however the removal or trimming of mature mangrove trees is not expected. Those impacts that do occur will likely be confined to disturbance during construction works."</i></p>
<i>Ensure that development does not encroach onto navigation channels or adversely affect the use of ferries or other service vessels;</i>	The proposed structure is similar in footprint to surrounding facilities and will not encroach onto navigation channels as per the TfNSW navigation assessment in Appendix 2.3.
<i>Ensure that structures or their usage do not obstruct water circulation or cause rubbish accumulation in a manner which is likely to adversely affect water quality, cause weed accumulation or exacerbate sediment accretion, or erosion, particularly to adjoining waterfront land;</i>	The proposed jetty is pile-mounted with free-flowing water under the proposed structure, including the pontoon so will not adversely impact water circulation.

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Management Guidelines and Standards of Development - General	Response
<i>Encourage the retention and preservation of identified heritage items and conservation areas.</i>	No known heritage items are located in proximity to the proposed structure.
<i>Jetties and wharves are to be designed, constructed, and used only for short stay by vessels to provide for embarking, disembarking, loading and unloading; unless specifically authorised under the terms of the development consent and licence agreement with the Department of Lands to allow for authorised mooring.</i>	Compliant. The proposed structure will be used for embarking, disembarking, loading and unloading only.
<p><i>The length of any jetty/wharf structure should not exceed the dimensions as set out in the Appendix attached to this chapter.</i></p> <p>Appendix The length of jetties shall comply with the following criteria.</p> <p>1. The length of the jetty shall:</p> <p>a) Not exceed the average length of jetties within 100 metres on either side of the subject site;</p> <p>b) Achieve the 'basic' length necessary to provide a water depth of 900mm minimum or 1.5 metres maximum at mean low water at the jetty head;</p> <p>c) Not exceed a maximum 'basic' length of 50 metres with a possible 5 metres additional length and subject to approval under item (d); and</p> <p>d) With regards to (c) above, Council may consider minor extensions (up to a maximum of 5 metres increase) to the length subject to the concurrence of the NSW Maritime, Department of Primary Industries (Fisheries), and Department of Environment and Climate Change.</p> <p>2. If a jetty cannot reach a water depth of 900mm at mean low water and with a</p>	<p>The proposed jetty, ramp and pontoon structure is 45.5m in total length from the M.H.W.M.</p> <p>The proposed structure is slightly longer than the neighbouring structures, but this is required to achieve:</p> <p>i) the minimum water depth required at this length to reach the requirements for a floating pontoon as per DPI Fisheries requirements, and</p> <p>ii) avoidance of congestion issues.</p> <p>The length of the proposed structure does not intrude on or restrict any navigational areas or channels as per the TfNSW navigation assessment in Appendix 2.3.</p>

Environmental Impact Statement

<p><i>'basic' length of 50 metres, plus any 5 metres approved extension, it will not be approved.</i></p> <p><i>3. A jetty will not be permitted to extend into or restrict any navigation area or channel.</i></p> <p><i>4. Where an existing facility could be relocated to a common boundary to be used as a shared facility Council will give consideration to permitting a facility of the same length as the previous structure, depending on its merits.</i></p>	
<p><i>To maximise the free flow of water beneath the structure a wharf/jetty must not be constructed of solid fill, but must be constructed on piles with a minimum longitudinal spacing of 3 metres along the jetty/wharf.</i></p>	<p>Compliant.</p> <p>The proposed jetty is pile-mounted with free-flowing water under the proposed structure, including the pontoon with pile spacings of a minimum of 3m.</p>
<p><i>Any existing solid fill structures which is the subject of an application for additions, alterations or replacement are to be reconstructed on piers in accordance with 3.16.6.1c above, unless the existing structure has been identified as a heritage item. If not so identified then the old solid fill structure must be removed.</i></p>	<p>Not applicable.</p> <p>The proposed jetty is pile-mounted with free-flowing water underneath, including the pontoon.</p>
<p><i>Jetties and wharves platforms are to be constructed to a minimum height of 0.75 metre above mean high water level (1.15m AHD approximately). Excessively high jetties/wharves will not be permitted.</i></p>	<p>Compliant.</p> <p>The height of the proposed jetty will be 1.575m AHD (2.5m Zero Fort Denison Tidal Gauge).</p>
<p><i>The width of a jetty/wharf is to be minimum 0.9 metres and maximum 1.2 metre, except for community or public wharves and jetties.</i></p>	<p>Compliant.</p> <p>The proposed jetty and ramp are 1.5m in width to enable the client to safely access the pontoon.</p>

Environmental Impact Statement

Management Guidelines and Standards of Development - General	Response
<i>A single handrail may be provided on one side of the structure only, with the design and construction to be such that access along the foreshore is not restricted. Handrails may be omitted for appearance where appropriate.</i>	Compliant. Access along the foreshore is not restricted by the inclusion of a single handrail in the design of the ramp structure.
<i>The construction of an "L", "T", or similar type configuration on the "water end" or jetty head of the structure is permitted with an area not exceeding 9 m² for a single owner or 12 m² for a shared ownership. The dimension "Y" as shown on Figure 1 shall not exceed 4m for a single owner or 6m for shared ownership. A pontoon may be permitted instead of the widened end of jetty or wharf. The dimensions of a pontoon shall not exceed the dimensions permitted for a solid structure. The length of jetty or wharf permitted shall include the pontoon.</i>	Compliant. The proposed structure consists of a fixed jetty, a ramp and a 2.4m x 3.6m (8.64m ²) floating pontoon. The proposed jetty, ramp and pontoon structure is 45.5m in total length from the M.H.W.M.
<i>Gates or similar devices will not be permitted.</i>	Not applicable. No gates or similar devices are proposed.
<i>Lighting on any jetty/wharf structures is to be minimal, and will only be permitted where it can be shown to be essential for the safe use of the structure. Such lighting shall be neither red nor green. Davits and derricks will not be permitted.</i>	Not applicable. No lighting is proposed for the structure.

Environmental Impact Statement

Management Guidelines and Standards of Development - General	Response
<i>Jetties/Wharves under this Chapter are only intended to facilitate access for private boating where a reasonable depth of water can be achieved without the necessity for an extended structure. Larger vessels or keel vessels which cannot achieve water access to jetties and wharves approved in accordance with those dimensions outlined within this policy are not appropriate for berthing and will have to make other arrangements.</i>	<p>Compliant.</p> <p>The proposed jetty structure is designed at the minimum depth required for safe berthing in all tides of visiting vessels.</p> <p>The length of the proposed structure is 45.5m in total and is at the distance required to reach minimum navigable water depth, as shown on the drawings attached as Appendix 2.1.</p>
<i>Jetties/wharves may be Integrated Development requiring approval under the NSW Fisheries Management Act from the NSW Department of Primary Industries. Relevant documentation submitted with any application should include a plan showing location of adjacent structures, water depth contours, and location of any seagrasses and/or mangroves including species and photographs of the area at low tide.</i>	<p>Compliant.</p> <p>Pre-Approvals have been supplied from DPI Fisheries and Transport for NSW, as shown in the relevant Appendixes.</p> <p>Included plans show all features required for assessment.</p>

Materials

Jetty – timber-framed and decked.

Ramp – aluminium.

Pontoon – timber-framed with HDPE floats and hardwood timber decking.

As part of the SEARs, the proposed development has also been assessed against:

- **Part 6 Chapter 6.4. – Geotechnical Requirements For Development Applications.**

The proposed development is sited fully below the Mean High Water Mark on Crown Lands – adjoining land / land boundaries at 88 Glenworth Valley Road, Wendoree Park only. It is a class 10b structure (non-habitable) and is more than 100m from any cliff face on a negligible gradient. A portion of the jetty component of the structure is located through a mangrove swamp area and the remainder of the proposed structure is in the Hawkesbury River.

The proposed development is therefore able to be categorised as a **low hazard area**, able to be clearly defined within the General Description of “Often represented by low slope profiles in stratified rocks and nearly flat in alluvial deposits” (Table M1).

1.4.3. SEPP (Coastal Management) 2018

The site is subject the *SEPP (Coastal Management) 2018*.

PART 2 DIVISION3 COASTAL ENVIRONMENT AREA

Clause 13 Development on land within the coastal environment area

Outcomes	Response
<i>1(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i>	The proposed works will not have an adverse impact to the biodiversity, hydrological and ecological environment as confirmed by the MHS attached as Appendix 2.2 .
<i>1(b) coastal environmental values and natural coastal processes,</i>	The proposed structure will match similar neighbouring waterfront developments.
<i>1(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i>	Not applicable.
<i>1(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i>	The proposed works will not have an adverse impact to the biodiversity, hydrological and ecological environment as confirmed by the MHS attached as Appendix 2.2 .
<i>1(e) 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,</i>	Public access is unaffected and therefore unimpeded.

Environmental Impact Statement

Outcomes	Response
<i>1(f) Aboriginal cultural heritage, practices and places,</i>	The proposed development is not anticipated to have any adverse impact on Indigenous heritage, practices or places.
<i>1(g) the use of the surf zone.</i>	Not applicable.
<i>2(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or</i>	The proposed works are specifically sited to avoid removal of native flora in the surrounding Mangrove area. Further discussion on this subject is contained in the MHS attached as Appendix 2.2 .
<i>2(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	The proposed works are specifically sited to avoid removal of native flora in the surrounding Mangrove area. Further discussion on this subject is contained in the MHS attached as Appendix 2.2 .
<i>2(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</i>	The proposed works are specifically sited to avoid removal of native flora in the surrounding Mangrove area. Further discussion on this subject is contained in the MHS attached as Appendix 2.2 .
<i>(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</i>	Not applicable.

PART 2 DIVISION 4 COASTAL USE AREA

Clause 14 Development on land within the coastal use area

Outcomes	Response
<i>1(a) (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	Public access is unaffected and therefore unimpeded.
<i>1(a) (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</i>	The proposed structure has minimal impact on views as it is low-lying and located at the water's edge.

Environmental Impact Statement

Outcomes	Response
<i>1(a) (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</i>	Not applicable.
<i>1(a) (iv) Aboriginal cultural heritage, practices and places,</i>	The proposed development is not anticipated to have any adverse impact on Indigenous heritage, practices or places.
<i>1(a) (v) cultural and built environment heritage, and</i>	The proposed structure is in line with historical structures around the area and neighbouring properties.
<i>1(b) (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</i>	The proposed works will have no adverse impact.
<i>1(b) (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	Not applicable.
<i>1(b) (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</i>	Not applicable.
<i>(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</i>	Not applicable.

Environmental Impact Statement

DIVISION 5 GENERAL**15 Development in coastal zone generally — development not to increase risk of coastal hazards**

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Response: The proposed works will not increase any coastal hazards.

16 Development in coastal zone generally — coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Response: For Consent Authority to review.

17 Other development controls not affected

Subject to clause 7, for the avoidance of doubt, nothing in this Part—

(a) permits the carrying out of development that is prohibited development under another environmental planning instrument, or

(b) permits the carrying out of development without development consent where another environmental planning instrument provides that the development may be carried out only with development consent.

Response: For Consent Authority to review.

18 Hierarchy of development controls if overlapping

If a single parcel of land is identified by this Policy as being within more than one coastal management area and the development controls of those coastal management areas are inconsistent, the development controls of the highest of the following coastal management areas (set out highest to lowest) prevail to the extent of the inconsistency—

(a) the coastal wetlands and littoral rainforests area,

(b) the coastal vulnerability area,

(c) the coastal environment area,

(d) the coastal use area.

Response: Not applicable.

1.4.4. SREP No.20 – Hawkesbury Nepean River 2018

The site is subject the SREP No.20 – Hawkesbury Nepean River (No 2-1997).

PART 3 DEVELOPMENT CONTROLS

13 Marinas

Response: The proposed development does not require a pumping station, does not create sewage, liquid wastes or bilge water and will not have an adverse effect on drainage patterns or cause shoreline erosion or accretion. As per the MHS at **Appendix 2.2**, the proposed development will not have an adverse effect on any natural wetlands or flora and fauna habitats. The proposed site has adequate water depth and is for residential use only of embarking and disembarking passengers and goods from casually berthed vessels.

15 Land uses in or near the rivers

Response: The proposed development is positioned in a stable area, away from major beds of attached aquatic plants, fishing grounds and fish breeding areas, and does not conflict with surrounding recreational activities. Significant fauna and wetland habitats will not be adversely affected as detailed in the MHS at **Appendix 2.2**. The proposed development does not impact waterflow or require remedial works post construction.

1.4.5. NRAR Controlled activities on waterfront land (2018)

The purpose of these guidelines is to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out a controlled activity. The protection of vegetated riparian corridors is important for maintaining or improving the shape, stability (or geomorphic form) and ecological functions of a watercourse.

The proposed development, as outlined in the MHS, does not impact on the vegetated area, using a natural break to install the jetty component of the waterfront structure. We therefore believe that the objectives for riparian corridor management have been met as the proposed development preserves/maintains the integrity of the riparian corridor.

Under the NRAR guidelines, this proposed development better meets the needs of the community via providing access to the proponent's property and the waterfront, and causes minimal harm.

1.5. Environment

A Marine Habitat Survey (shown in **Appendix 2.2**) has been conducted to assess the impact to the surrounding marine environment. The conclusion of this survey stated: *"Given no invasive or introduced species were observed in the vicinity of the subject site, it is unlikely the proposed works may introduce and/or facilitate the spread of invasive species. Thus, care should still be taken to ensure construction equipment is clean and does not introduce invasive species during mobilisation to the site."*

In summary, the proposed development at 88 Glenworth Valley Road, Wendoree Park will result in some disturbance of the mangrove stand however the removal or trimming of mature mangrove trees is not expected. Those impacts that do occur will likely be confined to disturbance during construction works."

All recommendations as advised by this survey will be completed including the use of silt curtains while completing works.

Environmental Impact Statement

1.6. Environmental Mitigation Measures

The following measures will be implemented in the Construction and Environment Management Plan (CEMP), as per recommendations from the MHS during constructions works at the site:

- No mangrove branches should be trimmed.
- All excavation works in the mangrove stand should be done with hand tools only.
- Excavation works should be avoided within the structural root zone of the mangrove trees.
- No materials should be stored or placed on the floor of the mangrove stand.
- Raised boards should be used to access the mangrove stand during construction works.
- Care should be taken to ensure construction equipment is clean and does not introduce invasive species during mobilisation to the site.

1.7. Navigation, Siting and Design Guidelines

The proposed works allow for the installation of a new fixed jetty, ramp and floating pontoon to allow the proponent to access the deep water and use the surrounding marine environment via vessel.

The end of the pontoon will be approximately in line with the neighbouring facilities as well as providing sufficient water depth as per DPI Fisheries requirements (see **Appendix 2.4**). It will not impact any vessel traffic or navigational lines for safe traffic movement as per the TfNSW navigation assessment in **Appendix 2.3**.

The facility has been designed to minimise the impact to the community and surrounding native flora and still allow safe all tide access to the waterways by recreational watercraft.

There will be no change in access to the public.



Figure 7 – Navigation line showing transiting vessels are clear of the proposed development

1.8. Construction and Waste Management

All works will be completed by water access only via a contracted commercial barge operator. All waste will be disposed of in accordance with best practice waste and recycling guidelines via barge and the nearest licensed Resource Recovery Centre.

All recommendations contained in the attached MHS will be incorporated into a CEMP.

1.9. Feasible Alternatives to the Development

Given the environmental site conditions, the proposed structure is the only feasible option to the carrying out of the development.

The proposed structure is designed in accordance with AS3962:2020 and has been reviewed by an appropriately qualified engineer.

The structure is minimised to meet the various guidelines and requirements, being the minimum safe footprint needed to allow for safe access to the water for accessing visiting / casual use of the pontoon. Given the specific location with passing vessel wake and environmental loading, a smaller structure would not be suitable in providing safe all tidal access.

The proposed structure meets the minimum requirements for the size of the pontoon and length of the gangway ramp to allow the pontoon to maintain the required depth under the pontoon during all tidal conditions. The proposed line of the jetty through the mangrove area follows a natural break line in the foliage, chosen to have minimal impact overall with no impact to mature trees.

1.10. Conclusion

The proposed development for the installation of a new jetty, ramp and pontoon is the smallest possible structure required to allow the proponent to safely access their vessel and their residence in all tidal conditions and ensure sufficient water depth above the seabed as per DPI-Fisheries requirements.

We believe that the principles of ecologically sustainable development have been satisfied as discussed throughout this document.

All areas noted in SEAR Number 1627 dated 24 December 2021, have been addressed in this EIS and/or provided as part of the DA submission to Central Coast Council.

The proponent requests that Central Coast Council provide a positive response in this application for development approval.

Environmental Impact Statement

2. Appendices

2.1. CAD Drawings - DA

2.2. Marine Habitat Survey

Environmental Impact Statement

2.3. Transport for NSW – Navigational ‘No Objection’ Letter

2.4. DPI Fisheries Referral Support Letter

SEARs Checklist

(SEAR Number 1627 dated 24 December 2021)

General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000.	<i>Compliant.</i>
Key Issues	Strategic and statutory context. <ul style="list-style-type: none"> - a detailed justification for the proposal and suitability of the site for the development. - a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies. - a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out. - plans depicting the proposed layout. 	<i>Addressed.</i> <i>Outlined in this document.</i>

<p>Biodiversity.</p> <ul style="list-style-type: none">- accurate predictions of any vegetation clearing on site.- a detailed assessment of the potential impacts on any threatened species, populations, endangered ecological communities or their habitats, groundwater dependent ecosystems and any potential for offset requirements.- the hydrology of the wetland in relation to the ecological and hydrological function of the wetland, including drainage through the wetland, particularly changes to the depth of standing water and any effects on survival of the wetland plants.- clear mapping of any overlap between proposed structures and the mangroves, including during construction.- the extent of any proposed harm to marine vegetation (mangroves, saltmarsh or seagrass) and a description of the species involved.- details of weed management during construction and operation in accordance with existing State, regional or local weed management plans or strategies.- a detailed description of the measures to avoid, minimise, mitigate and/or offset biodiversity impacts.	<p>Addressed.</p> <p><i>Outlined in this document, the included Marine Habitat Survey (MHS) and the included Construction Environment Management Plan (CEMP).</i></p>
<p>Soil and water.</p> <ul style="list-style-type: none">- a description of local soils, topography, drainage and landscapes.- details of sediment and erosion controls.- a detailed site water balance.- an assessment of the potential impacts of the proposal in line with the Natural Resource Access Regulators' <i>Guidelines for controlled activities on waterfront land</i>.- an assessment in accordance with ASSMAC Guidelines for the presence and extent of acid sulfate soils (ASS) and potential acid sulfate soils (PASS) on the site and, where relevant, appropriate mitigation measures.- details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate	<p>Addressed.</p> <p><i>Refer to included CEMP, MHS and Acid Sulfate Soil Assessment (ASSA).</i></p>
	<ul style="list-style-type: none">surface and groundwater impacts.- a description and appraisal of impact mitigation and monitoring measures.

	<p>Hazards and risk.</p> <ul style="list-style-type: none"> - an assessment of the risk of bushfire, including addressing the requirements of <i>Planning for Bush Fire Protection 2019</i> (RFS). Any proposed Asset Protection Zones must not adversely affect environmental objectives (e.g. buffers). - any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations to address this. 	<p>Not applicable.</p> <p>Central Coast Council online Mapping Tool checked.</p> <p>Structure is Class 10b.</p> <p>Geotechnical addressed in this document.</p>
	<p>Waterway management.</p> <ul style="list-style-type: none"> - a description of the use and occupation of the Crown waterway, including all jetties, pontoons, mooring poles, ramps, retaining walls, reclamation, mooring/berthing areas. - details of the consultation process with the Department, as the landowner, noting the requirements for landowner's consent. - details of the legislative functions proposed to authorise the use and occupation of affected Crown waterway, e.g. domestic waterfront licence under the <i>Crown Land Management Act 2016</i>. 	<p>Addressed.</p> <p>DPIE Crown Lands consulted – Landowners Consent included.</p>
	<p>Waste management.</p> <ul style="list-style-type: none"> - details of waste handling including, transport, identification, receipt, stockpiling and quality control including off-site reuse and disposal. 	<p>Addressed.</p> <p>Refer to included CEMP.</p>
	<p>Air quality.</p> <ul style="list-style-type: none"> - a description of all potential sources of air and odour emissions during construction. 	<p>Addressed.</p> <p>Refer to included CEMP.</p>
	<p>Visual.</p> <ul style="list-style-type: none"> - an impact assessment at private receptors and public vantage points. 	<p>No impact.</p> <p>Visual Impact Statement included in this</p>

	<p>Heritage.</p> <p>- assessment of Aboriginal and non-Aboriginal cultural heritage.</p>	<p>No impact.</p> <p>NSW Office of Premier and Cabinet and Darkinjung Local Aboriginal Land Council informed.</p> <p>Central Coast Council online Mapping Tool checked.</p> <p>Request sent for Aboriginal Heritage Information Management System (AHIMS) search.</p>
<p>Environmental Planning Instruments and other policies</p>	<ol style="list-style-type: none"> 1. State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 2. State Environmental Planning Policy (Coastal Management) 2018 3. State Environmental Planning Policy (Koala Habitat Protection) 2021 4. Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No 2 – 1997) 5. Gosford Local Environmental Plan 2014 6. Relevant development control plans and section 7.11 plans. 	<p>Compliant.</p> <p>Applicable EIs discussed in this document.</p> <p>SEPPs at 1 & 3 do not apply for this site / proposed development. No vegetation clearing proposed and no Koala habitat at the site.</p>

<p>Consultation</p>	<ul style="list-style-type: none"> • Department of Planning, Industry and Environment, specifically the: <ul style="list-style-type: none"> o Crown Lands Division • Department of Regional NSW, specifically: <ul style="list-style-type: none"> o Department of Primary Industries – Fisheries • Darkinjung Local Aboriginal Land Council • Central Coast Council • The surrounding landowners and occupiers that are likely to be impacted by the proposal 	<p>Compliant.</p> <p>DPIE Crown Lands consulted – Landowners Consent included.</p> <p>DPI Fisheries consulted – Letter included.</p> <p>Central Coast Council being consulted as part of this application and will formally consult impacted surrounding landowners and occupiers.</p> <p>Proponent has also consulted with surrounding neighbours, and all have confirmed their support for the development.</p> <p>Darkinjung Local Aboriginal Land Council informed re proposed development via their online contact system on 10/1/2022 @1.51pm (AED).</p>
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Planning,
Industry &
Environment

Our reference: 20/10585
LOC No: 624010

09/09/2021

Central Coast Council
PO Box 20
WYONG NSW 2259

Dear Sir/Madam

Application for landowner's consent relating to development comprising: jetty – 37.65m x 1.5m; ramp – 6m x 1.5m; pontoon – 3.6m x 2.4m; authorise reclamation 181.42m²; and authorise timber retaining wall 5.4m² on Crown land: Lot 11 DP 25510, known as 88 Glenworth Valley Rd Wendoree Park Parish: Cowan County: Northumberland

The Minister for Water, Property and Housing, as owner of the subject land, has granted landowner's consent to **Liam HARPER** for the lodgement of a Development Application required under the *Environmental Planning and Assessment Act 1979*, and any other associated applications to other authorities for the above development proposal.

The applicant has been instructed to provide you with the landowner's consent provided by the Department of Planning, Industry & Environment (the Department) with the application.

Landowner's consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act, 1979* and any other relevant legislation.

In this regard, only matters relevant under the *Crown Land Management 2016* were considered when assessing this consent. Other considerations may arise as a result of applications made under the *Environmental Planning and Assessment Act 1979* and/or other legislation that the Department may wish to comment on. As such, it is requested that a copy of the application, when lodged with Central Coast Council, be referred to the Department for comment so that any such matters can be raised.

In this regard reference can also be made to the Department's Fact Sheet '*Development and Crown Land*' which is located on the Department of Planning, Industry & Environment website at: http://www.crownland.nsw.gov.au/about_crown_land/publications/fact_sheets

The applicant has also been advised that:

- (i) work on Crown land cannot commence without a current tenure from the Department authorising such work, irrespective of any development consent or approval given by other public authorities
- (ii) the Minister for Water, Property and Housing reserves the right to issue landowner's consent for the lodgement of applications for any other development on the subject land concurrent with this landowner's consent.

Yours faithfully



Jo Muddle
Department of Planning, Industry & Environment



Transport
for NSW

11 August 2020

Copley Marine Consulting
Alister Copley
35/12 Phillip Street mall
West Pymble NSW 2073
alister@cm-consulting.com.au

Dear Mr Copley

**Re: Development application for proposed installation of new jetty, ramp and pontoon
at 88 Glenworth Valley Drive Wendoree Park NSW**

Encl: Signed/dated plans

I refer to your email to Transport for NSW Maritime dated 12 June 2020 regarding
assessment of the above proposal.

We advise that an inspection/assessment has been conducted by the local Boating
Safety Officer and there are no navigational concerns regarding the designated
proposal.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal stroke.

Manager Operations
Hawkesbury River Broken Bay
Transport for NSW
Maritime Division

