

CENTRAL COAST COUNCIL

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number	DA/67/2024
---------------------------	------------

Delegation Level	Delegated
Property Lot & DP	Lot 88 DP 31785
Property Address	167 North Burge Road, WOY WOY NSW 2256
Site Area	1056.00m ²
Zoning	R2-Low Density Residential

Proposal	Alterations & Additions
Application Type	Development Application – Local, Integrated, Designated, Integrated and Designated
Application Lodged	19/02/2024
Applicant	R Morello
Estimated Cost of Works	\$157520

Notified Only	08/03/2024
Submissions	Nil
Disclosure of Political Donations & Gifts	No
Site Inspection	26/02/2024

Recommendation	Approval, subject to conditions
-----------------------	---------------------------------

Assessment

This application has been assessed using the heads of consideration specified under section 4.15 of the Environmental Planning & Assessment Act 1979, Council policies and adopted Management Plans.

Background

Council's records show that the following applications were previously lodged on this site:

DA/20237/1982 for Dwelling House, approved on 01/01/1982.

DA/43093/1987 for Dwelling House, approved on 03/07/1987.

DA/52248/1988 for Awning, approved on 29/11/1988.

DA/6745/1997 for Awning, approved on 28/01/1998.

Site & Surrounds

The site is not identified as being "bushfire prone land" on Council's bushfire maps.



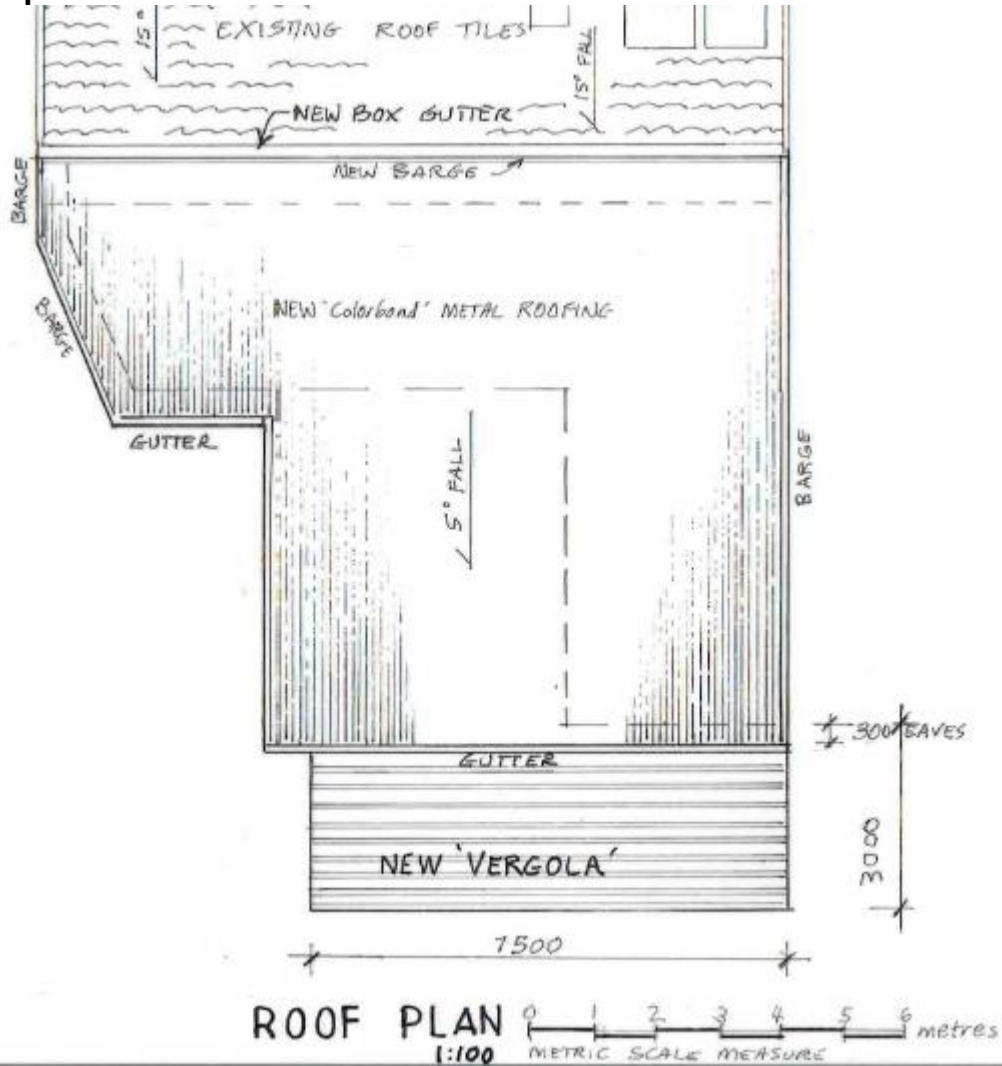
The site is located on the West side of North Burge Road between Robin Crescent and Brick Wharf Road. Adjoining development comprises single storey, weatherboard, and brick veneer dwelling houses. The topography is flat.



The site contains a single storey dwelling house with attached awnings and detached garage.



The Proposal



The proposal comprises:

DESCRIPTION OF WORKS:

The proposed development details raising the walls of the existing extensions, extending the Ensuite and Laundry, and forming a new 5 degrees metal roof over the existing extensions, along with a new 'Pergola' roof.

Applicable Planning Controls

The following planning policies and control documents are relevant to the development and were considered as part of the assessment.

- Environmental Planning & Assessment Act 1979 – Section 4.15
- Local Government Act 1993 – Section 89
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Central Coast Council Local Environmental Plan 2022
- Central Coast Council Development Control Plan 2022

Draft Environmental Planning Instruments

No draft Environmental Planning Instruments apply to this application.

Permissibility

The subject site is zoned R2-Low Density Residential under Central Coast Council Local Environmental Plan 2022. The proposed development is defined as Dwelling House which is permissible in the zone with consent of Council.

State Environmental Planning Policies

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

The provisions of State Environmental Planning Policy (Resilience and Hazards) 2021 require Council consider the aims and objectives of the SEPP when determining an application within the Coastal Management Area. The Coastal Management Area is an area defined on maps issued by the NSW Department of Planning & Environment and the subject property falls within this zone.



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

Central Coast Council Local Environmental Plan 2022

Development Standard	Required	Proposed	Compliance with Controls	Variation %	Compliance with Objectives
4.3 / Height of Buildings	8.5 m	3.9m	Yes	-	Yes
4.4 / Floor Space	0.50:1	Not	Yes	-	Yes

Ratio	Desired	mapped			
-------	---------	--------	--	--	--

Zone R2-Low Density Residential

The objectives of the R2 zone are:

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage best practice in the design of low-density residential development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.
- To maintain and enhance the residential amenity and character of the surrounding area.

In this instance, it is considered that the proposal is consistent with the stated objectives of the zone and is consistent with the principles of Ecologically Sustainable Development as specified within the Local Government Act 1993.

Part 5.21 CCLEP and Chapter 3.1 CCDCP Flood plain management/water cycle management

The development is considered satisfactory in respect to Part 5.21 and Chapter 3.1 Flood Plain Management/Water Cycle Management as applicable.

DA/67/2024 – 167 North Burge Road,

Introduction:

DA/1706/2023 has been submitted to Central Coast Council for alterations and additions to the existing dwelling and garages, carports and carparking spaces at 167 North Burge, Woy Woy, as shown on the drawings attached to the DA.

Access:

Not applicable.

Flooding:

The site is subjected to flood planning controls (Brisbane Water Foreshore FRMSP, 2015). However, the locations of the proposed alterations and additions are not affected by flooding.

No Flooding Engineering apply.

Drainage:

Existing drainage pipelines are located away from the proposed alterations and additions. No Drainage Engineering conditions apply.

Conclusion:

This Development Assessment is supported without Engineering conditions.

Central Coast Development Control Plan 2022

Development Standard	Description	Required	Proposed	Compliance with Control	Compliance with Objective
2.1.2.1	Building Heights	Principle building: 8.5m Out buildings 4.8 / 7.0m	3.9m N/A	Yes	Yes
2.1.2.2	Site coverage	Maximum <input type="checkbox"/> 60% <input type="checkbox"/> 50% <input checked="" type="checkbox"/> 40% <input type="checkbox"/> 30%	25%	Yes	Yes
2.1.2.3	Floor space ratio	0.5:1	Not mapped	Yes	Yes
2.1.3.1 (Residential Lots)	Setbacks	Front: Average of two adjoining dwelling houses Articulation zone: 1.5 m / 25 % Secondary: Side: 0.9m Rear: 0.9 for 50% length of boundary	No change No change N/A 0.9m >10m	Yes Yes Yes Yes	Yes Yes Yes Yes
2.1.3.2 (Large lots)	Setbacks (<4,000 m ² lot size)	Front: 10m Side: 2.5m / 5m (Outbuilding-other) 5 m Rear: 10m / 5m (other) Secondary 5m Front: 20m	N/A	Yes	Yes

Waterfront	(>4,000 m ² lot size)	Side: 10m (Outbuilding- other) 5 m Rear: 10m / 5m (other) Secondary 10m 40m or as mapped. 30m Hawkesbury River			
2.1.3.3.1	Primary road articulation	Max width(s) 1.5m: Max 25%: Lengths Unbroken wall lengths: Within 7.5m of primary frontage – 10m <4.5m secondary road frontage - 10m	N/A	Yes	Yes
2.1.3.3.2	Garage door articulation	Within 7.5m of primary or parallel road frontage – 12m or less lot width – 6m >12m lot width – 6m or 60% width of building	N/A	Yes	Yes
2.1.4.1	Views	View sharing- Compliance	Complies with view sharing	Yes	Yes
2.1.4.2	Visual privacy	Minimise overlooking	Complies with objectives	Yes	Yes
2.1.4.3	Private open space	Min Width 3m Area 16m ² lot width <10m 24m ² lot width >	No change	Yes	Yes

		10m Near level			
2.1.4.4	Sunlight access	On June 21 At least 3 hours sunlight to 50% principal private open space Adjoining land at least 3 hours sunlight to 50% principal private open space	Complies	Yes	Yes
2.1.5	Car parking & Access	1 space if dwelling has 3 or less bedrooms. 2 spaces if dwelling has 4 or more bedrooms	2 spaces	Yes	Yes
2.1.6.1	Earthworks	Minimal Fill/ excavation outside existing footprint. Excavation max 1m if <1m from boundary or Max 3m >1m from boundary Fill not > 1m No fill within 1m of side boundary unless within 1.5m of external wall of dwelling	Complies No fill to be imported	Yes	Yes
2.1.6.2	Retaining walls	>600mm if within 1.0m of any boundary: or more than 1.0m above or below existing ground level in any other location to be designed by Professional Engineer	N/A	Yes	Yes

		Batter slope gradient compliant not to extend by more than 3m from dwelling and toe of batter not <1m from boundary			
2.1.6.3	Drainage	To public system or other approved system	To existing	Yes	Yes
2.1.7.1	Outbuildings	Site areas/max Floor area (m2): up to 600=45 600-700=60 700-800=75 800-900=85 >900= 100	N/A	Yes	Yes
2.1.7.2	Detached studio	One per lot Maximum floor area 50m2 Located behind main building line and integrated design.	N/A	Yes	Yes
2.1.7.3	Swimming pool	Locate in rear yard unless justified. Setbacks compliant Suitably located pool pump/ plant or Sound insulation	N/A	Yes	Yes
2.1.7.4	Fencing		Existing	Yes	Yes
2.1.8.1 (Secondary Dwelling)	Setback of secondary dwelling	Set back rear yard unless consistent with existing design of dwelling	N/A	Yes	Yes
2.1.8.2	Access	Via primary or secondary road	N/A	Yes	Yes
2.1.8.3	Private opens space	Min 16m2: Min width 3.0m: Main living access or dining room access Solar access and privacy per dwelling	N/A	Yes	Yes

		requirement Not steeper than 1:50 Private open space of principal dwelling not located within front setback			
2.14	Site Waste Management	Appropriate disposal	WMP submitted	Yes	Yes
2.17.1	Character & Scenic Quality	Desired Character	Consistent	Yes	Yes
3.1	Flood Plain & Water Cycle Management	Calculation	N/A	Yes	Yes
3.2	Coastal Hazard Mapping Northern Area		N/A	Yes	Yes
3.3	Onsite effluent	No sewer connection	N/A	Yes	Yes
3.4	Water Catchment Areas		N/A	Yes	Yes
3.5	Tree removal	Prevent significant vegetation removal.	N/A	Yes	Yes
3.6	Heritage Conservation		N/A	Yes	Yes
3.7	Geotechnical requirements	Is Geotech report required	Not required	Yes	Yes
7.1	Acid sulfate soil	Class of land 2	Geotech report not required	Yes	Yes
Other	Bushfire BAL <i>(Planning for Bushfire Protection)</i>	Compliance	N/A	Yes	Yes

	2019)				
Other	Bushfire APZ	Compliance	N/A	Yes	Yes
Aboriginal Heritage	Various considerations for impact on aboriginal heritage	Due diligence	Complies	Yes	Yes
Biodiversity Conservation Act 2016	Various considerations for impact on biodiversity	Compliance	Complies	Yes	Yes

Planning Agreements

The proposed development is not subject to a planning agreement / draft planning agreement.

Development Contribution Plan

The proposed development is a development type that is not subject to section 7.11 development contributions under the Contribution Plan. Therefore, no contributions are applicable.

Referrals

Internal Referral Body	Comments
Flood Engineer	Supported, without conditions

Political Donations

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

Public Submissions

The development has been notified in accordance with the provisions of Chapter 1.2 of Central Coast Development Control Plan 2022. There were no submissions received in relation to this proposal.

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.

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse social or economic impact. It is considered that the proposed development will complement the locality and meet the desired future character of the area.

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

Plans for Stamping

Final Assessment Plans for Stamping CM Doc No. D16095861

Supporting Documents for Binding with consent

BASIX Certificate Number A1377447_03, CM Doc No. D16041369

Delegations

The staff responsible for the preparation of the report, recommendation or advice to any person with delegated authority to deal with the application have no pecuniary conflict of interest or non-pecuniary conflict of interest to disclose in respect of the application.

The staff authorised to determine the application have no pecuniary conflict of interest or non-pecuniary conflict of interest to disclose in respect of the application.

Reason for Recommendation

- A Council as consent authority grant consent to Development Application No DA/67/2024 for Alterations & Additions on Lot 88 DP 31785, 167 North Burge Road, WOY WOY NSW 2256 subject to the conditions attached.
- B In accordance with section 4.53(1) of the Environmental Planning & Assessment Act 1979, this consent shall be valid for a period of five (5) years.

Recommendation:	Approval, subject to conditions
Assessing Officer:	Jeff Adams
Recommendation Reviewed by:	Grant Killen