

## CHAPTER 5.2 ERINA, 85-93 KARALTA ROAD

### 5.2.1 WHERE THIS CHAPTER APPLIES

This chapter applies to the subdivision and development of Lots 1, 2 DP 259824 and Lots 6, 7 DP 1071636 and Lot 13 DP 550325, House Nos 85 - 93 Karalta Road Erina.

The purpose of this chapter is to provide more detailed provisions to support the rezoning and development of the subject land.

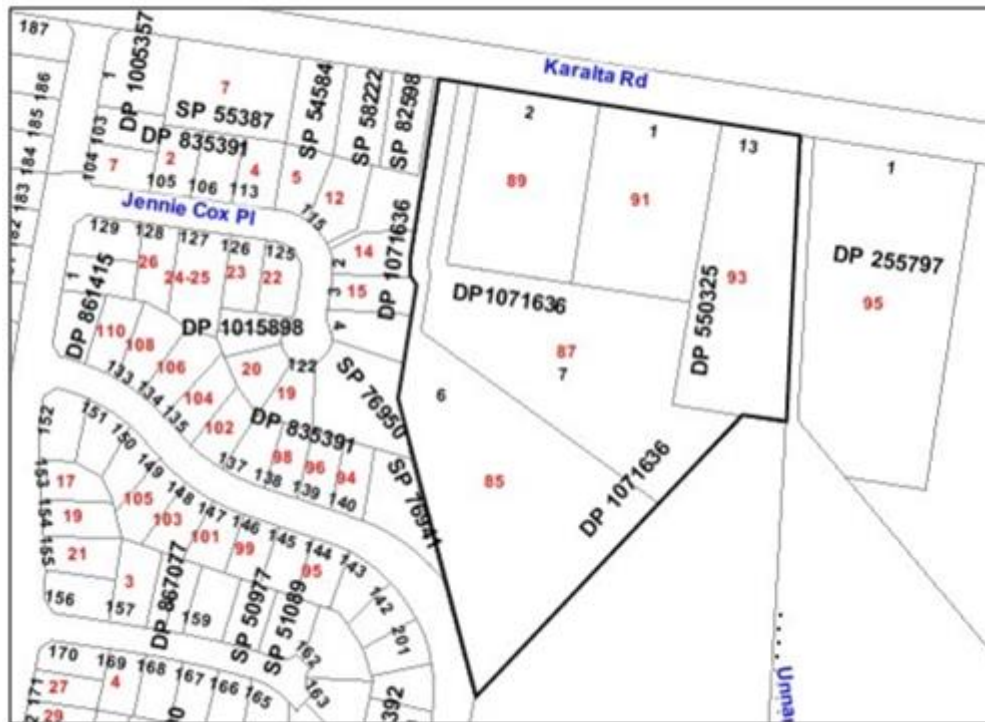


Figure 1 - Land to which this chapter applies

### 5.2.2 PURPOSE OF THIS CHAPTER

The purpose of this chapter is to provide more detailed provisions to support development of the subject land.

### 5.2.3 OBJECTIVES OF THIS CHAPTER

- To guide development of the land to support it's rezoning for residential development, primarily residential flat buildings
- To ensure coordinated infrastructure provision
- To provide owners with guidance as to the matters that need to be considered in the development of their properties

## 5.2.4 STREET NETWORK AND STREET TYPES

### 5.2.4.1 Objectives

- To provide a safe, legible and efficient through road system
- To provide an internal road layout that is not based on a one way in, one way out system that is contrary to guidelines for use by emergency vehicles, particularly for bushfire protection and for safe and efficient garbage collection services
- To prevent the use of right of ways or carriageways as a means of vehicle access to development
- To create a safe environment for walking and cycling
- To serve all existing and proposed land parcels with a local street that provides connection to the remainder of the land
- To provide through a local street system connection to the only vehicle access point to the precinct in a location which meets RMS sight distance standards as identified by Council's Traffic Engine
- To serve the resubdivision of existing land parcels with a local street that provides connection to the remainder of the precinct and the only vehicle access point to the precinct

### 5.2.4.2 Controls

- a Only one vehicle access point is to be provided to Karalta Road and located in accordance with the accompanying plan
- b No temporary or permanent vehicle access from any new development will be permitted to Karalta Road or Bronzewing Drive.
- c Development applications are to provide for the construction as part of the development proposed roads that are to be located on the subject property. Road plans are required to comply with the street layout identified on the accompanying plan. Any proposed changes to street layout only to occur in accordance with objectives of this section and section 5.2.14.
- d Street types and construction are to be in accordance with the accompanying plan (titled Amended DCP Map) figures 1, 2 and 3 and section 5.2.4.

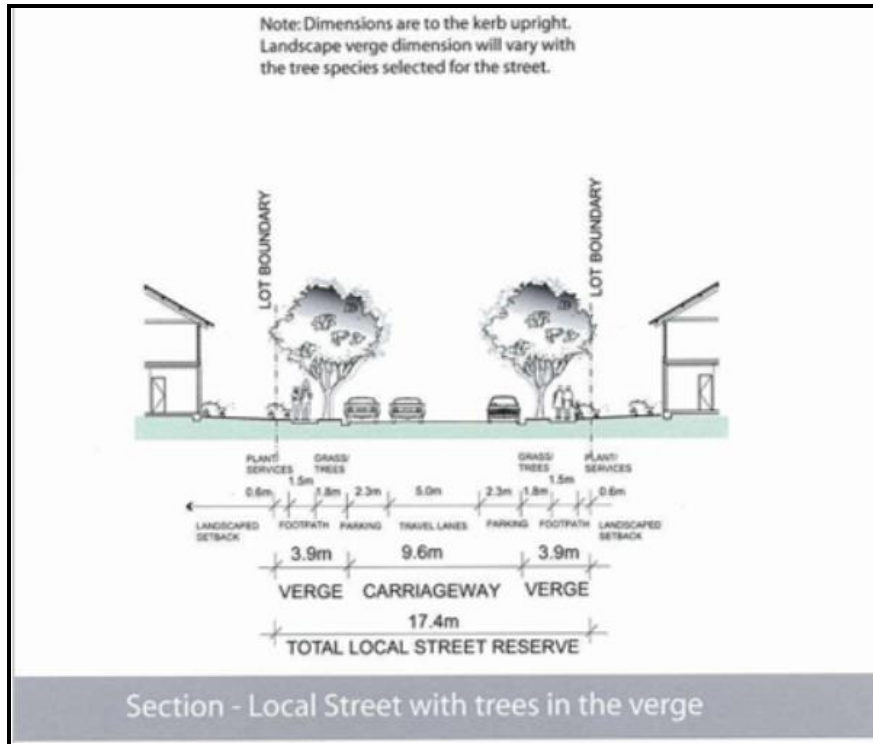


Figure 2

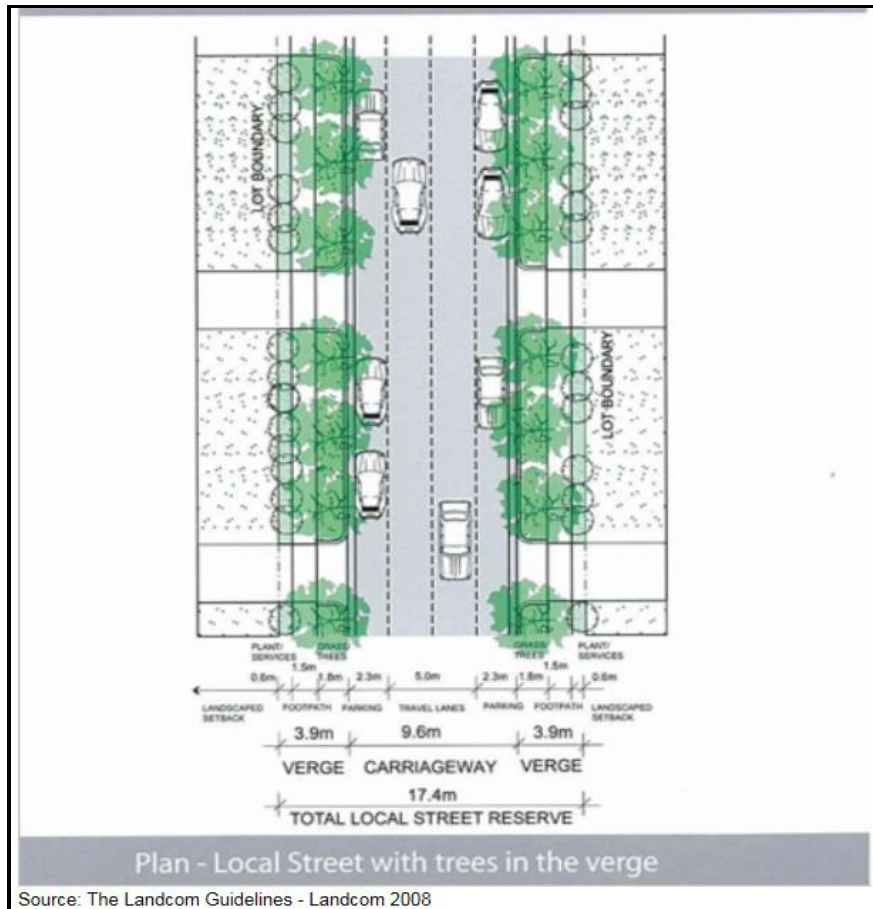
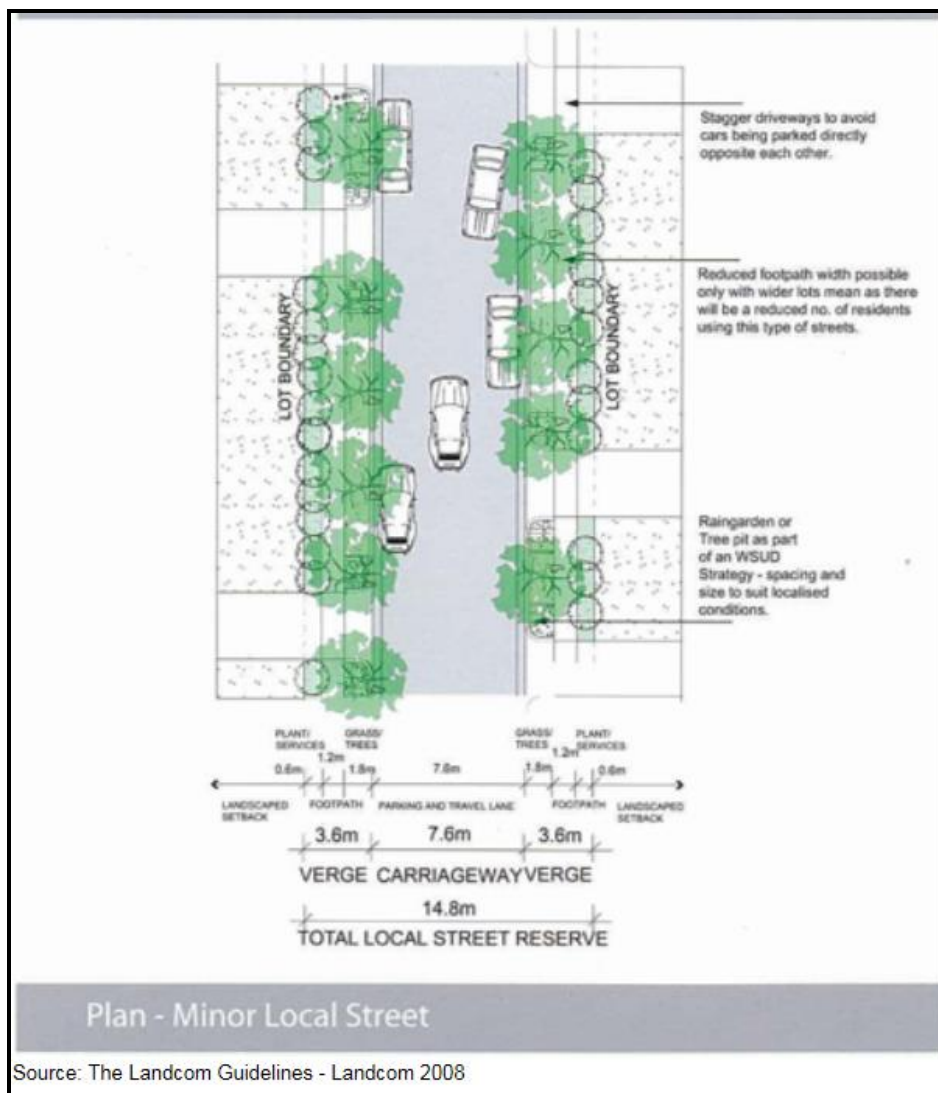


Figure 3



**Figure 4**

Land that is hatched on the accompanying plan provides an accessway to Karalta Road access point. This land must be dedicated to Council at no cost as part of any development or subdivision of the original lots that contain the hatched land.

## 5.2.5 PEDESTRIAN NETWORK

### 5.2.5.1 Objective

To create a pedestrian pathway network that provides safe access to dwellings, open space areas and locations external to the precinct

### 5.2.5.2 Controls

- a Development Applications are to contain provision for the construction of pedestrian pathways for the frontage to the subject property in accordance with the accompanying plan and Figure 2 and 3 of section 5.2.4.

## 5.2.6 BUSHFIRE PROTECTION

### 5.2.6.1 Objectives

- To ensure that the planning, subdivision and development of the precinct occurs in accordance with the NSW Rural Fire Service's '*Planning for Bushfire Protection*'.
- To require that Bushfire Protection Assessment and implementation occurs on a precinct wide and strategic basis and not a site by site basis.
- To ensure that Bushfire Protection Assessment for the precinct provides for protection of areas of mature vegetation for amenity and habitat purposes.

### 5.2.6.2 Controls

- a A 20m Asset Protection Zone (APZ) to be provided in the location shown on the accompanying plan. This area is provided mostly within local roads and open space shown on the accompanying plan.
- b Internal road system to be implemented to allow ingress and egress from the precinct in accordance with requirements of '*Planning for Bushfire Protection*' RFS.

*Other requirements relating to Bushfire Protection for developments on the land are contained in the 'Bushfire Protection Assessment Report' completed by Conacher Environmental Group dated April 2010 based on 'Planning for Bushfire Protection.'*

## 5.2.7 WATER CYCLE MANAGEMENT

### 5.2.7.1 Objectives

- To reduce stormwater flows discharging from the Precinct
- To improve water quality of stormwater flows discharging from the precinct
- To conserve and reuse water
- To apply a holistic approach to water cycle management

### 5.2.7.2 Controls

- a Council's requirements relating to Water Cycle Management as detailed in Council's Civil Works Specification will apply to the precinct.
- b A covenant will be required to be entered into as a condition of consent for the construction of a building on any parcel of land requiring the retaining of a water quality/retention system as well as the system's maintenance.

## 5.2.8 COMMUNITY OPEN SPACE (PUBLIC RESERVES)

### 5.2.8.1 Objectives

- To provide a level of community open space that will serve the needs of the local residents

- To create community open space areas that contribute to the amenity of the precinct and provide link to Kincumber Mountain Reserve
- To create community focal points for the residents of the precinct

### 5.2.8.2 Controls

- a Land on Lot 13 DP 550325 and/or Lot 7 DP 1071636 Karalta Road as identified on the accompanying plan will be required for open space purposes. Council will compensate the owner for open space land provided in excess of requirements under CP 42 for the development of any lots resulting from the subdivision/development of Lot 13 DP 550325 and/or Lot 7 DP 1071636.

## 5.2.9 SUBDIVISION

### 5.2.9.1 Objectives

- To ensure that the subdivision of existing land parcels occurs in a manner that enables integration of all services, does not impose unreasonable costs on other property owners through the provision of unplanned temporary infrastructure and ensures that the precinct develops in an ordered manner
- To set lot sizes for subdivision that can accommodate development on the steeper land slopes on the land
- To provide sufficient land around proposed development for the protection of existing trees

### 5.2.9.2 Controls

- a All lots created that have a development potential are to have a minimum 25 metre frontage to an internal road shown on the accompanying plan of Karalta Road. Variations will be considered but only where no vehicle access is provided to an internal road by right of ways or carriageways.
- b Compliance with Residential Subdivision provisions of Council's DCP will be required except for those that relate to residential road standards, with the standards shown on the accompanying plan and Figures 2 and 3 of section 5.2.4 to apply.

## 5.2.10 WATER/SEWER

### 5.2.10.1 Objective

- To ensure that the land is adequately served with water and sewer infrastructure.

### 5.2.10.2 Controls

- a Council advised that connection of the proposed rezoning to water and sewer reticulation systems would be permitted subject to the applicant undertaking a sewer systems analysis; the applicant providing all water and sewer infrastructure within the rezoned land; payment of the Water Authorities fees and charges; and the applicant undertaking specific external water and sewer works to accommodate the rezoned land.

- b The applicant has provided the Council with all necessary reports to enable the Water Authority to assess the impact the proposed rezoning shall have on existing sewerage infrastructure. The reports identify sewer infrastructure required to be augmented to accommodate additional loads generated by the rezoning.
- c Several lots proposed to be rezoned are currently connected to Councils sewer reticulation system. At the time of connection these non-residential properties were not located within Councils defined sewer service area. Upon application to connect to sewer Council issued various connection conditions, one of which limited discharge loads from each lot to one (1) equivalent tenement. Council is not obliged to accept additional loads from these lots and will only do so subject to the applicant ensuring suitable capacity is available within the systems being utilised to service future development on the rezoned land.
- d A water system analysis has not been provided by the applicant and in this instance, shall not be required. It is acknowledged that both a 450mm water trunk main and 100mm water reticulation main front the proposed rezoning. It is estimated the proposed rezoning could result in future demands on the water reticulation system of up to one hundred and twenty (120) equivalent tenements. As a consequence of Councils reluctance to allow connections directly to the 450mm water trunk main, the 100mm reticulation main between Bronzewing Drive and the subject lots will need to be augmented to 150mm prior to proceeding with development of the rezoned land.
- e Although various sewer mains within the current Erina Development plan are nearing capacity, there is limited development potential remaining in the area. As remaining development can be serviced by existing water and sewer infrastructure, Council has no current proposals to augment sewer mains in the Erina area.
- f Implementation of the *Gosford Local Environmental Plan (LEP) 2014* shall result in additional loads / demands on water and sewerage reticulation systems. By the applicant increasing pipe sizes identified in the sewer analysis by one size, additional system capacity may be provided above that which is needed to service the rezoning. Alternatively, upsized pipes may not accommodate future development within the Erina area in the coming decade should Gosford LEP 2014 provide for increased development within the Erina area.
- g In 2011 the former Gosford City Council shall be undertaking a review of all Water & Sewer Developer Services Plans within the former Gosford LGA, involving infrastructure and developer charges. Furthermore Council shall be undertaking a major systems review involving the preparation of a Master Plan for the entire water and sewerage systems. The key objectives of the Master Plan are to:
  - h Assess current performance of the schemes and identify improvements necessary to meet current and future 'levels of service';
    - i Provide long-term strategic direction and guidance for the planning, development and operation of the schemes to allow Council to effectively plan its asset management and capital works programs, including expansions, upgrades and rehabilitation / renewals;
    - ii Review and enhance operational performance to meet service needs and ensure regulatory compliance.
  - i In summarising water and sewer issues, the following points should be emphasised:
    - iii The applicant proposing to undertake the rezoning is responsible for provision of the required infrastructure and payment of the Authorities defined fees and charges;

- iv Water and sewer service arrangements involving the proposed rezoning shall be required to be finalised in conjunction with the rezoning and in advance of any development consent being granted on the rezoned land, although provision of required infrastructure shall be dependent on timing and scale of future development;
  - v The replacement of existing pipe lines in advance of Council having a detailed understanding of future servicing needs in the Erina area may result in augmented pipes being replaced well in advance of projected replacement life.
- j In order to minimise the risk of unnecessarily installing pipes of an inadequate size or location, or the developer being burdened with providing infrastructure with capacity well above that which would be required to service the rezoned land, it is proposed to provide the following alternative:
- i Council assess the value of the applicant's portion of specific works identified to service the rezoning based on the proportionate capacity that can be attributed to the rezoning, which will be known as 'the charge';
  - ii The applicant be levied 'the charge' in addition to and independent of all other water and sewer development charges and conditions;
  - iii Works identified as being required as a consequence of the rezoning be placed within the Redevelopment Developer Services Plan for construction on an as required basis.

Due to the similar timing of the applicant's proposal, Council's Developer Services Plan review and Major Systems review, the payment of a proportionate cost of the works is considered reasonable.

Prior to development consent being granted the applicant shall submit for consideration and approval by the W&S Asset Management Development Group a Plan of Management for Water Supply incorporating water saving initiatives. You are advised to contact the W&S Asset Development Officer for further information regarding this condition.

The developer shall be responsible for the full cost of design and construction of water and sewer reticulation mains and infrastructure required to service the development. Designs must be in accordance with Council standards for sewer and water designs and shall be submitted to Council's Water and Sewer section for assessment. Upon approval of the plans by Council, the developer may commence construction of the sewer and water mains subject to compliance with the conditions of the approval.

Payment of water and sewer headworks / augmentation contributions specified by the Water Authority under Section 306 of the *Water Management Act, 2000* in accordance with Council's policy. The actual amount payable shall be determined at the time of lodgement of a Section 305 Application for the development.

The developer shall be responsible for the full cost of any new connections / reconnections of the development to the existing water and sewer systems.

## **5.2.11 BUILDINGS/CHARACTER**

### **5.2.11.1 Objective**

To encourage development generally in accordance with the desired future character of the area.



### 5.2.11.2 Controls

- a Conserve natural and scenic characters of wooded hillside properties by surrounding each residential development with leafy gardens that retain natural slopes along all boundaries and conserve existing visually prominent trees, particularly along rear boundaries and street frontages or verges, as well as providing space for new shady trees and shrubs planted as backdrops to new buildings.
- b Minimise the scale of new buildings using strongly articulated forms including floor levels that are stepped to follow natural slopes plus facades that vary in shape and height. 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.
- c 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.
- d Avoid tall retaining walls, elevated structures including terraces or pools or steep driveways that would interrupt the character of existing bushland hillsides.
- e The lower storey should not be dominated by garages and should display elements of a traditional "street address" such as balconies, verandahs and living rooms and front doors or private terraces that are directly accessible from the street. Conceal parking in part or full basements and provide unobtrusive vehicle entrances to minimise disruption of the desirable street address.

## 5.2.12 AFFORDABLE HOUSING (SUBJECT TO LEP BONUS)

### 5.2.12.1 Objective

To provide further detail in relation to the provision of Affordable Housing as detailed in the Local Environmental Plan (LEP) that applies to the subject land

### 5.2.12.2 Controls

- a Only 1 (one) car parking space or garage is required by Council for each dwelling. Compliance with the Car parking chapter of Council's DCP is not required for the Affordable Housing component of the proposed development.
- b The dwelling(s) is to display the same amenity qualities with regard to matters such as access to sunlight, privacy, internal layout and the like as other units in the development

## 5.2.13 LANDSCAPE BUFFER FRONTING KARALTA ROAD

### 5.2.13.1 Objectives

- a To provide a visual /scenic buffer and wildlife corridor along the Karalta Road frontage of the land.
- b To ensure vehicle access to Karalta Road only occurs at the designated location.

### 5.2.13.2 Controls

- a A 10m wide strip of land as shown on the accompanying plan must be provided at the time of resubdivision or development in accordance with the residential rezoning of Lots 1 or 2 DP 1071636 or Lot 13 DP 550325 Karalta Road Erina as a landscape buffer.
- b Vehicle access either temporary or permanent shall be permitted over the landscape buffer area as part of the resubdivision or development as such an access will not meet RMS sight distance standards. Existing access points to be reinstated as part of the landscape buffer.
- c Methods of protection of vegetation on this land are to be provided with any development application for development that has frontage to this land.
- d The landscaped buffer can form part of the setback for development fronting Karalta Road and be included in the landscape requirements for a development as well as being included in the density calculation for the development.

## 5.2.14 VEGETATED BUFFER ALONG WESTERN BOUNDARY

### 5.2.14.1 Objectives

- To provide a visual /scenic buffer and wildlife corridor along the western boundary between adjoining residential development and the proposed development.
- To retain existing trees along the western boundary.

### 5.2.14.2 Controls

- a A minimum 3m landscape buffer is to be provided along the western boundary where indicated on the accompanying plan.
- b This landscape buffer can be included in a required setback for a development where appropriate and included in the landscape requirement for a development.
- c Any existing trees along the western boundary are to be retained where possible.

## 5.2.15 ALTERNATE USES

### 5.2.15.1 Objective

To provide appropriate guidelines for uses other than residential flat buildings that maybe consented to on the land.

### 5.2.15.2 Controls

- a Controls relating to Bushfire Protection, Landscape buffer fronting Karalta Road, Buildings/Character, Water/Sewer, Subdivision, Water Cycle Management will apply to development applications for uses permitted in the R1 Residential zone on the land other than residential flat buildings.

