



190454E BWH/BM

15th March 2019

NSW Department of
Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Lawren Drummond

Dear Lawren,

**RESPONSE TO SUBMISSIONS – MP 10_0084 MOD 1
GWANDALAN RESIDNETION SUBDIVISION CONCEPT PLAN**

We refer to your email dated 8th March 2019 and hereby provide the following point by point response to the submissions received during the notification of MP 10_0084 MOD 1:

1. Central Coast Council

Council's development controls make provision for two storey dwellings within the subject zone and there is no objection to the restriction being removed.

Response: It is noted that no objection has been raised by Council. As intended by the proposed modification; future development would be subject to Council's building heights map for the area – which currently provides for the development of two (2) storey dwellings.

2. Subsidence Advisory

All of the properties within this proposed residential development area in Gwandalan now have a guideline 2 designation. The guideline 2 allows single or two storey brick veneer residential developments erected on reinforced concrete footings/slab to comply with AS 2870. These improvements are limited to a maximum length of 24m and

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maximum footprint size of 400m².

The full details of guideline 2 can be found at the Subsidence Advisory NSW website.

Any type of proposed construction outside f these parameters would require merit assessment by SANSW.

Response: It is noted that no objection has been raised by Subsidence Advisory NSW. As indicated within the response provided by SA NSW; the development area is now subject to Guideline 2, which allows for two (2) storey dwellings developed inline with the guidelines. As such, there is no longer any reason to restrict the majority of the site (60%) to single storey dwelling only.

3. Public Submission – Russell Bridge (OBJECTION)

I disagree with the conclusions of the Town Planner, Item 8.0 in the letter dated 15th January 2019. The removal of the height restriction will not provide a greater diversity of housing across the entire site (currently approximately 60% single storey and 40% two storey which is more in keeping with neighbouring Gwandalan). Rather it provides the opportunity to have wall to wall two storey development over the entire site, as has been witnessed in other local developments.

It is not explained how the removal of the height restrictions will facilitate the delivery of an urban release. Is this because it will result in better business proposition for the developer?

Response: The original restriction of single storey for 60% of the site was never about restricting the amount of two (2) storey development within the area, but related to mine subsidence. The original reasons for restricting the majority of the subdivision site to single storey, are no longer present, with Guideline 2 superseding the previous mine subsidence provisions which applied to the site – as confirmed by Subsidence Advisory NSW. The proponent therefore seeks to have the subdivision treated as any other residential area allowing for both single and two (2) storey dwellings across the entire site.

It is considered that removing the single storey restriction which currently applies to 60% of the site will provide greater diversity throughout the subdivision itself and in the type of dwellings that may be developed (i.e. single, two (2) storey or split level designs). By removing the height restriction, potential purchasers will be able to develop two (2) storey dwellings across the entire site, instead of being clustered within set areas. We believe that this would in fact reduce the likelihood of having two (2) storey 'wall to wall' by providing more choice throughout the site to purchasers whom are wanting to develop two (2) storey dwellings, instead of limiting two (2) storey development to 40% of the site.

4. Public Submission – Gwandalan and Summerland Point Improvement Group (OBJECTION)

- *Can you please explain what were the contributions to Subsidence Advisory NSW that bought about this relaxing of conditions in relation to the then existing Mine Subsidence Board which allowed only single storey residences.*
- *When did this new, two storey allowance commence.*
- *Was the amendment advertised/exhibited locally for comment.*

Response: The items raised within this submission appear to relate to Subsidence Advisory NSW's Guideline 2, and not to the actual proposed modification that was notified and under assessment. These items would be more appropriately confirmed by Subsidence Advisory NSW, however; it is noted in Guideline 2 (dated May 2018):

- *"SA NSW has developed and applied surface development guidelines (Guidelines) in accordance with the Coal Mine Subsidence Compensation Act 2017."*
 - *"Guideline 2 is applied to properties that have been undermined by coal mine workings in the past, and have been assessed by SA NSW as having the potential to be impacted by subsidence due to historical mine workings."*
 - *"SA NSW's development guidelines were developed by SA NSW in consultation with an expert reference group comprising of structural engineers, mining experts and key mining and development industry stakeholders."*
- *Is the new 2 storey allowance for the whole of the site or will each lot be specifically checked.*

Response: Guideline 2 applies to the whole of the site. Guideline 2 permits the following residential construction without further approval from SA NSW:

"Single or two storey brick veneer residential developments erected on reinforced concrete footings/slab to comply with AS 2870. These improvements are limited to a maximum length of 24 metres and maximum footprint size of 400m²."

Should any proposed dwelling exceed these requirements, the dwelling will be subject to a merit assessment by SA NSW Risk Engineers – as is the standard process when a development exceeds a guidelines allowable building size (refer to Section 8 of Guideline 2).

- *Will the selling agents have to make prospective purchasers aware that the land was originally approved for single storey dwellings.*

Response: No, as it is not relevant. The land is now subject to Guideline 2 which allows for single or two (2) storey dwellings.

- *Will residence construction be restricted to lightweight timber construction or will roof tiles, brickwork and masonry be allowed.*

Response: This will be determined by SA NSW, however; Guideline 2 allows for brick veneer and masonry (refer to Section 5 of Guideline 2).

We trust this information is satisfactory and allows the Department to progress the subject application. Should you wish to discuss the above matter further, please do not hesitate to contact me on 43054300 or email brookes@adwjohnson.com.au.

Yours faithfully,

A handwritten signature in blue ink that reads 'B. Sauer'.

Brooke Sauer
Town Planner
ADW JOHNSON