

Feasibility Study

Client

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Property Address

28 Hexham Street

Kahibah

NSW 2290

Lot A DP 367903

Map Index 012

Proposed Development

Proposing the demolition of existing dwelling and construction of residential units



Date

23/10/2017

Development Description

Description of Building; consists of 3 identical units, each having 4 rooms. Two rooms on top level with open planning kitchen, living looking onto private open space courtyard. Downstairs consists of two rooms, toilet, shower, open space and has capacity to be independent from above. Cut-outs in floor allow light through and though maybe make it a fish pond above. Driveway on downhill side fence line accessing garages (just a void space in the model). Entrance walkway on uphill fence line. Each entrance door straight into stairwell. Stairwell accesses downstairs, garage, middle level and upper level full length greenhouse.

Site Details

Geotechnical Zone T3

Direction: Site is on the South side of Hexham Street facing North.

Existing Structures: Single dwelling

Lot/parcel Size: 950.483m²

Street frontage: 24m

Side boundary: East 39m, West 39m

Topography: the site falls away from the road where it is at its highest point. In addition, there is an evident slope West high to east low

Landscaping: There appear to be small trees onsite and shrubs onsite. Without a site visit tree type/species and significant is unclear

Surrounding Character: There appears to be a mix of residential dwellings including single dwelling, dual occupancies and multi-unit residential.

Applicable environmental planning instruments and legislation

NSW State Policy Analysis

State Environmental Planning Policy

State Environmental Planning Policy (Affordable Rental Housing) 2009 : (pub. 2009-07-31)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 : (pub. 2004-06-25)

Exempt and Complying Development 2008

Analyse opportunity for exempt and complying development regarding:

- Demolition of existing building
- Construction of new building

State Environmental Planning Policy (Infrastructure) 2007

Local Policy Analysis

Lake Macquarie Local Environmental Plan 2014

Land Zoning

R3 - Medium Density Residential: (pub. 2014-09-12)

1. Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain and enhance the residential amenity and character of the surrounding area.

2. Permitted without consent

Home occupation

3. Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Registered clubs; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Sewage reticulation systems; Sewage treatment plants; Shop top housing; Water recreation structures; Water recycling facilities; Water supply systems

4. Prohibited

Any other development not specified in item 2 or 3

Definitions

In defining this development proposal, the following definitions should be considered (NCC LEP 2012):

Demolish, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

Residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

Dwelling houses means a building containing only one dwelling.

Note: Dwelling houses are a type of residential accommodation—see the definition of that term in this Dictionary

Group home means a permanent group home or a transitional group home.

Note: Group homes are a type of residential accommodation—see the definition of that term in this Dictionary.

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.

Note: Multi dwelling housing is a type of residential accommodation—see the definition of that term in this Dictionary

Residential flat buildings means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Note: Residential flat buildings are a type of residential accommodation—see the definition of that term in this Dictionary.

2.7 Demolition requires development consent

The demolition of a building or work may be carried out only with development consent.

Note:

If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#), as exempt development, the Act enables it to be carried out without development consent.

4.1A Exceptions to minimum subdivision lot size for certain residential development

(3) Despite clauses 4.1 and 4.1AA, development consent may be granted to development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential that is both of the following:

- (a) the subdivision of land into 3 or more lots that each have frontage to a road,
- (b) the erection of:

(ii) a dwelling house or an attached dwelling on land in Zone R3 Medium Density Residential if the size of each lot resulting from the subdivision is at least 200 square metres but no more than 450 square metres.

(4) Despite subclause (3), development consent may be granted for development under subclause (3) (a), but only if the consent authority is satisfied that:

- (a) an attached dwelling, dwelling house or semi-detached dwelling could be appropriately located on each lot, or
- (b) the subdivision would be consistent with a development control plan prepared specifically for the site.

Acid Sulfate Soils

Not affected

Floor Space Ratio

This clause has not adopted by LMCC

Height of buildings

K - 10 m : Range [10.0 - 10.9 m] (pub. 2014-09-12)

Minimum Lot Size

T - 900 m² : Range [900 - 999 sqm] (pub. 2014-09-12)

Bushfire Prone Land

Not affected

Drinking Water Catchment

Not affected

Mine Subsidence

LAKE MACQUARIE (pub. 2017-07-25)

Site affected

Lake Macquarie Flood Zone

Not affected

Lake Macquarie City Council DCP 2014

The following DCP's will apply

Part 3: Development in Residential Zones

The following DCP's may apply

9.6 Dual occupancy

dual occupancy (attached) means two dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

dual occupancy (detached) means two detached dwellings on one lot of land, but does not include a secondary dwelling.

- A minimum site area of 500m² is required for Dual Occupancy developments.
- The maximum site coverage for Dual Occupancy developments, including ancillary development, must not exceed 65%

9.11 Multi Dwelling Housing (multi dwelling housing means three 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).

Site Requirements

- The development site must have a minimum area of 750m² for development consisting of three dwellings.
- The development site must have a minimum area of 850m² for development consisting of four or more dwellings.
- The development site must have direct frontage to a public road.
- The development site must have a minimum width of 18 metres at that road frontage.

Site coverage

- The maximum permitted site coverage at the ground floor is 65% of the site area

Note: Site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage: any basement

Street Setback

- Where there are existing adjoining residential buildings within 40 metres,
 - i. the front setback must be consistent with the established setbacks or,
 - ii. where adjoining building setbacks vary by more than 3m, the front setback must be the same distance as one or other of the adjoining buildings, or:
 - iii. where adjoining buildings vary in setback, development must locate between their setbacks.
- The secondary street setback for corner allotments must be a minimum of two metres.
- Entry features and porticos, porches, balconies, decks, verandahs, and bay windows may encroach up to 1.5 metres into the front setback area. This encroachment must not cover more than 25 percent of the building width.

Side Setbacks

- Above ground structures must not encroach on the side boundary setback of multi dwelling housing developments.

Landscaped Area

- Development must provide a landscape area that is at least 10% of the total lot area.
- An area must have a minimum width of 2 metres to be included in the landscape area calculations.

Principle Private Open Space

- A Principal Private Open Space with a minimum area of 16m² and a minimum width of 4 metres must be provided for each dwelling containing one or two bedrooms
- A Principal Private Open Space with a minimum area of 25m² and a minimum width of 4 metres must be provided for each dwelling containing three or four bedrooms
- Pervious surfaces selected for the purpose of stormwater infiltration must be designed by a suitably qualified engineer.

9.13 Residential Flat Buildings (means a building containing three or more dwellings, but does not include an attached dwelling or multi dwelling housing)

Site Requirements

- The development site must have a minimum area of 800m²
- The development site must have direct frontage to a public road.
- The development site must have a minimum width of 20 metres at that road frontage.

Housing Mix

- A mix of dwelling types and sizes must be provided as follows:
 - i. studio apartments maximum 15%,
 - ii. one-bedroom apartments maximum 30%
 - iii. two-bedroom apartments minimum 40%
 - iv. three-bedroom apartments minimum 15%

Street Setback

- In a Residential Zone development (other than for battle-axe blocks) must be setback a minimum of six metres and a maximum of eight metres from a street boundary.
- The front building elevation must be parallel or near parallel to the street boundary
- Entry features and porticos, porches, balconies, decks, verandahs, bay windows, eaves and awnings may encroach up to two metres into the front setback area. This encroachment must not cover more than 50 percent of building width

Side Setbacks

- Side setbacks for Residential Flat Buildings must be a minimum of three metres
- Above ground structures must not encroach on the side boundary setback of residential flat buildings

Site Coverage

- The maximum site coverage for Residential Flat Buildings, including ancillary development, must not exceed 65%

Note: Site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage: any basement

- Development must provide a landscape area that is at least 20% of the total lot area.
- At least half of the required landscape area must be suitable for deep soil planting
- An area must have a minimum width of three metres to be included in the landscape area calculations
- The planting of shrubs and trees is encouraged on the top of setback areas, rooftops, and over car parking structures

Principle Private Open Space

- A Principal Private Open Space in the form of a balcony with a minimum area of 8m² and a width of 2 metres must be provided for all dwellings. Development that seeks to vary from this minimum must demonstrate negative impacts cannot be satisfactorily mitigated with design solutions
- Where the above cannot be provided for all dwellings, a communal open space with a minimum area of 40m² and a minimum dimension of 5 metres should be provided
- Communal open space should be provided principally at ground level, except where retail and office uses are required at ground level.

Driveways and Parking Areas

- On-site car parking and servicing facilities must be located at the rear of development, or at a basement level
- Stack parking may be permitted only where two spaces are designated for a single dwelling
Residential Flat Buildings should have a single driveway designed for two-way traffic with a minimum width of 5.5 metres
- Vehicular movement areas must be located a minimum of 3 metres from any bedroom window

- Developments with two street frontages should be designed so that the secondary street provides the main vehicle entry and exit point

Professional services will require

Submission of DA: PlasmO Planning town Planning services: SoEE, management and liaison with additional consultants,, government and non-government authorities, preliminary design advice,

Geotechnical Report Soil and geological suitability

Mine Subsidence Written Concurrence required

Site Stormwater Drainage Plan accordance with Council's Water Cycle Management Guidelines.

Survey – Establish lot boundaries, AHD, size, existing services

Drafting – Elevations, floor plan, section, Shadow

Basix – Sustainability Index

Landscape Master Plan – At DA stage

Summary

The proposed development is well described by the term Multi-dwelling housing. Multi Dwelling housing is permitted with consent on this site as well as dual occupancy and additional dwelling types.

Surrounding development has examples of multi dwelling housing and dual occupancy.

This development will have to address DCP's regulating residential development as well as DCP 9.11 Multi Dwelling Housing. Although the proposed development does not have dimensions, the perceived size and shape of the development should consider the following aspects carefully:

- maximum permitted site coverage at the ground floor is 65% of the site area

Note: Site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage: any basement

- Development must provide a landscape area that is at least 10% of the total lot area.
- That parking, pathways and access points are safe and convenient for residents and services as well as wheelchair accessible

Regarding wheelchair access; the design description considers access from garage to residents via stairwell. Will need to confirm this addresses wheelchair access.

Lastly, the design should also consider area of principle private open space for each unit. This is described by:

- A Principal Private Open Space with a minimum area of 16m² and a minimum width of 4 metres must be provided for each dwelling containing one or two bedrooms
- A Principal Private Open Space with a minimum area of 25m² and a minimum width of 4 metres must be provided for each dwelling containing three or four bedrooms
- Pervious surfaces selected for the purpose of stormwater infiltration must be designed by a suitably qualified engineer.

private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building

Recommendations

Given that the final design is considerate of the specific regulations identified in the report, a development application proposing demolition of the existing dwelling and construction of multi dwelling housing is likely to be permitted on this site.

Estimation of costs

Depending on Councils requirements regarding extent of detail for a development application without a Construction Certificate and in addition to the estimated sum of costs for Town Planning and additional services listed above; a development application for this site considering a multi-unit dwelling is estimated to cost up to \$6000 - \$8000.