



Statement of Environmental Effects

Development Application

Dual Occupancy and Torrens Subdivision — 14 Beach Street, Ettalong Beach

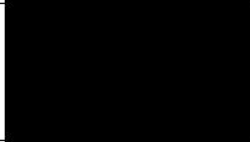
Lot 141 DP 10057



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1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Paro Consulting to accompany a Development Application (DA) to Central Coast Council (Council) in relation to the land at 14 Beach Street, Ettalong Beach, legally described as Lot 141 in DP 10057 (the site).

The DA seeks development consent for the demolition of the existing dwelling and ancillary structures, and the construction of a two storey dual occupancy comprising two (2) dwellings, a front dwelling (14A) addressing Beach Street and a rear dwelling (14B) addressing the rear laneway including associated landscaping, swimming pool, site works, and the Torrens title subdivision of the land into two (2) lots (the proposal).

The SEE has been prepared pursuant to Part 3, Division 1 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021) and Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). It identifies the site and locality, provides relevant background, describes the proposal, identifies the statutory planning framework and key planning considerations, undertakes an assessment under Section 4.15, and provides a conclusion.

The application is considered worthy of approval for the following reasons:

- The proposal is consistent with the aims and objectives of the Central Coast Local Environmental Plan 2022 (CCLEP 2022) and the Central Coast Development Control Plan 2022 (CCDCP 2022). The proposal incorporates a single variation to a development standard, the floor space ratio (FSR) control which is supported by a written request prepared under Clause 4.6 of the CCLEP 2022 demonstrating that strict compliance is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the variation;
- The proposal is a permissible form of development in the R1 General Residential zone and delivers additional housing supply and diversity consistent with the objectives of the zone and the Housing SEPP;
- The subdivision of the land into two lots, each below the minimum lot size, is expressly permitted under Clause 4.1C of the CCLEP 2022;
- The character and scale of the proposal is compatible with the existing and desired future character of the Ettalong Beach locality;
- The proposal delivers a high standard of internal and external amenity for future occupants and achieves a high standard of environmental performance;
- There will be no unreasonable adverse impacts on the environment or on neighbouring properties as a result of the proposal; and

- The proposed development is suitable for the site and is in the public interest.

2. Background

2.1 Relevant Application History

There is no relevant application history affecting the site or the proposal.

2.2 Pre-DA Consultation

No formal pre-DA meeting has been held with Council in relation to the proposal.

3. Site Analysis

3.1 Site Location and Description

The site is located at 14 Beach Street, Ettalong Beach and is legally described as Lot 141 in DP 10057. It is situated within the Central Coast Council local government area (LGA), within the established coastal residential suburb of Ettalong Beach.

The site is an irregular rectangular allotment with a dual street frontage. It presents a primary frontage of approximately 19.43 metres to Beach Street to the front (northern boundary) and a secondary frontage of approximately 26.685 metres to a rear laneway (southern boundary), with side boundaries of approximately 42.67 metres (western) and 24.385m (eastern). The site has a total area of 651.4 m² (by survey calculation).

The land has a gentle fall of approximately 1 metres across its depth. Images of the site are reproduced below.



Figure 1: Aerial image of the site and surrounds (Source: NSW Planning Portal)

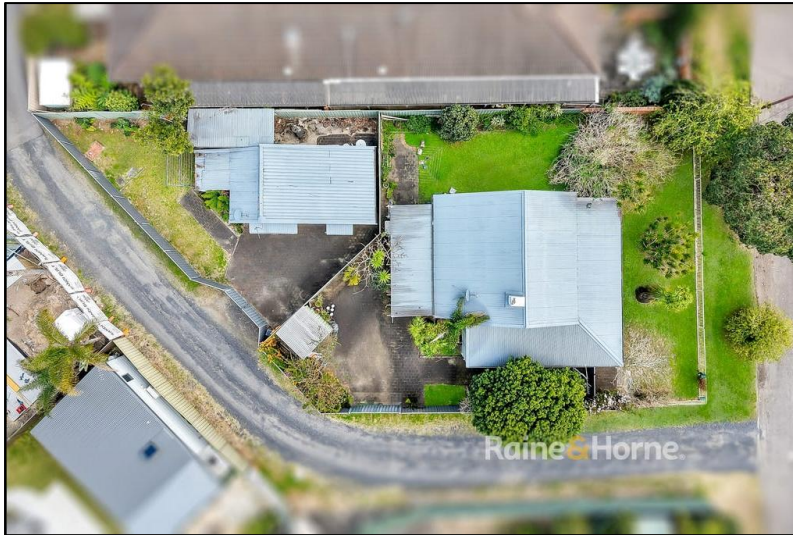


Figure 2: Aerial image of the site. (Source: Realestate.com)



Figure 3: The site as viewed from Beach Street. (Source: Realestate.com)

The site is presently occupied by a single storey dwelling of cottage character fronting Beach Street, together with a detached studio structure to the rear of the site addressing the laneway, and associated ancillary structures, paving and landscaping. All existing structures are proposed to be demolished.

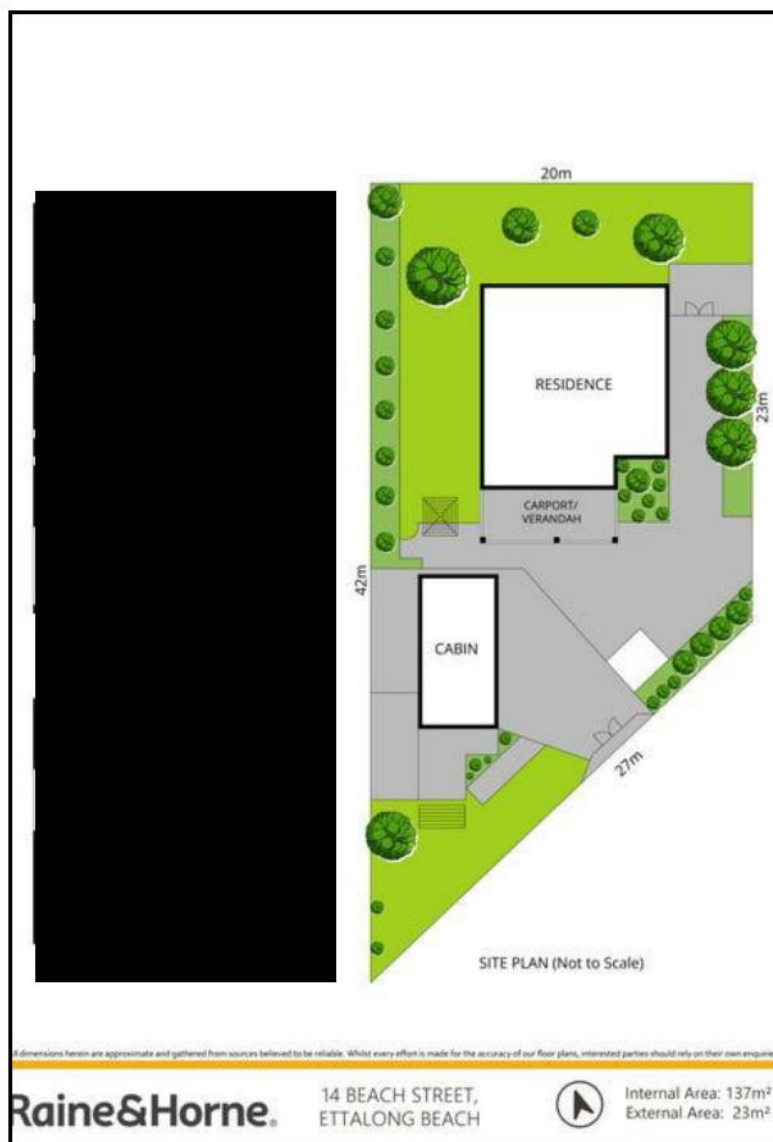


Figure 4: Floor plan of the existing dwelling on the site. (Source: realestate.com.au)



Figure 5: Existing detached studio to the rear of the site addressing the laneway. (Source: realestate.com.au)

The site is not a heritage item, is not located within a heritage conservation area, and is not affected by a foreshore building line under the CCLEP 2022. The site is not identified on Council's mapping as being affected by a land reservation acquisition. The land is classified as Class 4 on the Acid Sulfate Soils Map. The Local Aboriginal Land Council for the area is the Darkinjung Local Aboriginal Land Council.

The statutory site particulars are summarised in the table below.

Table 1. Site Particulars

Item	Detail
Address	14 Beach Street, Ettalong Beach NSW 2257
Legal description	Lot 141 DP 10057
Local government area	Central Coast Council
Land zoning	R1 General Residential
Site area	651.4 m ²
Maximum building height	8.5 m
Floor space ratio	0.5:1
Minimum lot size	550 m ²
Heritage	Not a heritage item / not in a conservation area
Foreshore building line	Not applicable
Acid sulfate soils	Class 4
Local Aboriginal Land Council	Darkinjung

3.2 Surrounding Development and Context

The site is zoned R1 General Residential under the CCLEP 2022. The surrounding locality is an established, predominantly residential coastal neighbourhood characterised by a mix of single and two storey dwelling houses, dual occupancies, and low-rise multi-dwelling and residential flat development, reflecting the ongoing renewal of the older housing stock of Ettalong Beach.

Ettalong Beach is a coastal village on the southern Central Coast, fronting Broken Bay and the Brisbane Water estuary. The locality is well serviced, being within walking distance of the Ettalong Beach foreshore

and waterfront reserves, the Ettalong Beach village retail and dining precinct, local schools, and public transport, including bus services and the Ettalong–Palm Beach passenger ferry.

The character of the immediate streetscape is defined by a fine grain of residential allotments with a consistent rhythm of front gardens and landscaped setbacks to Beach Street, and a service-oriented rear laneway providing vehicular access. The lots in the vicinity of the site are generally of a similar size and configuration, and the locality has experienced progressive redevelopment for dual occupancy and attached forms of housing as the older single dwellings are renewed. The rear laneway provides an opportunity to locate vehicular access and garaging away from the primary streetscape, reinforcing the pedestrian and landscape quality of the Beach Street frontage.

The proposal responds to this context by maintaining a landscaped, dwelling-scaled presentation to Beach Street, locating vehicular access and garaging to the rear laneway, and adopting a two storey built form, materials palette and articulation consistent with the established and desired future character of the locality.

4. The Proposal

4.1 Overview

The proposal seeks development consent for the demolition of the existing dwelling and ancillary structures and the construction of a two storey dual occupancy with associated landscaping, swimming pool and site works, together with the Torrens title subdivision of the land into two lots. The proposal comprises the following principal components:

- Site preparation works, including the demolition of all existing structures on the site and associated minor earthworks;
- Construction of a two storey dual occupancy comprising two (2) dwellings — a front dwelling (Dwelling 14A) addressing Beach Street and a rear dwelling (Dwelling 14B) addressing the rear laneway. Both dwellings have a primary pedestrian access to Beach Street with secondary pedestrian access to the rear laneway;
- Provision of an enclosed garage to each dwelling, with vehicular access taken from the rear laneway;
- A swimming pool and landscaped private open space serving Dwelling 14A, and landscaped private open space serving Dwelling 14B;
- Associated landscaping, fencing, stormwater management and service connections; and

- Torrens title subdivision of the land into two (2) lots proposed Lot 14A (422.4 m²) predominately fronting Beach Street and proposed Lot 14B (224 m²) — pursuant to Clause 4.1C of the CCLEP 2022.

Refer to the architectural drawing set prepared by Ninin Studio (Project BEE014, Revision D, dated 14 June 2026) for the full details of the proposal.



Figure 6: Proposed Development as viewed from Beach Street (Source: NININ Studio)

4.2 Detailed Description

4.2.1 Built form and layout

The proposal comprises two attached two storey dwellings arranged in a side-by-side configuration, each addressing one of the two street frontages. The front dwelling (14A) addresses Beach Street with a landscaped front setback, pedestrian entry and a swimming pool and terrace to its private open space, while the rear dwelling (14B) addresses the laneway with its primary address via a front gate and side accessway. Each dwelling provides ground floor living areas opening to ground level private open space, and a single bedroom. Bedrooms and study are provided at first floor level.

Vehicular access and enclosed garaging for both dwellings is taken from the rear laneway, keeping the Beach Street frontage free of driveways and reinforcing its landscaped, pedestrian character.

4.2.2 Development statistics

The key development statistics for the proposal are set out in the table below.

Table 2. Development Statistics

Element	Proposed
Existing use	Single dwelling and detached studio (to be demolished)
Proposed use	Dual occupancy (2 dwellings) + Torrens subdivision into 2 lots
Number of storeys	2
Site area	651.4 m ²
GFA – Dwelling 14A	223 m ² (GF 111.5 m ² + FF 111.5 m ²)
GFA – Dwelling 14B	132.6 m ² (GF 72.6 m ² + FF 60 m ²)
Total GFA	355.6 m ²
Floor space ratio (FSR)	0.546:1 (max. permitted 0.5:1 = 325.7 m ²)
Maximum building height	7.9 m (max. permitted 8.5 m)
Landscaped (soft) area	204 m ² (31.3% of site; min. 25%)
Deep soil area	173.3 m ² (84.9% of soft landscape; min. 50%)
Private open space – 14A	>45 m ² (min. 45 m ² per dwelling)
Private open space – 14B	45 m ² (min. 45 m ² per dwelling)
Resident parking	14A: 2 spaces (in garage) 14B: 2 spaces (1 hardstand + 1 garage)
Proposed Lot 14A	422.4m ²
Proposed Lot 14B	229 m ²
Estimated development cost	\$1,763,315.84 (excl. GST)

4.2.3 Demolition

Demolition of all existing built structures on the site, including the existing dwelling and detached rear studio, is proposed as part of this application. All demolition work will be carried out in accordance with AS 2601–2001 (The Demolition of Structures).

4.2.4 Subdivision

Torrens title subdivision of the land into two (2) lots is proposed as part of this application.

Proposed Lot 14A (422.4 m²) and Lot 14B (224 m²) fronting the rear laneway.

Although both proposed lots are below the 550 m² minimum lot size shown on the Lot Size Map, Clause 4.1C of the CCLEP 2022 expressly permits a single development consent to be granted for the erection of a dual occupancy together with the subdivision of the land into two lots that are both smaller than the minimum lot size on land within the R1 General Residential zone. The proposed subdivision is therefore permissible. Refer to the draft subdivision plan.

In accordance with Clause 2.2.11.5 of Chapter 2.2 of the CCDCP 2022, the application is accompanied by a draft plan of subdivision prepared for the proposed two lot Torrens title subdivision. The subdivision is a simple two lot subdivision that follows the common boundary between the two dwellings, and no easements, rights of carriageway or restrictions as to user are required to facilitate the subdivision. There are no existing easements affecting the site. Each dwelling will be provided with its own separate and independent services, including water, sewer, electricity, telecommunications and stormwater drainage, with the provision and connection of separate services to each lot able to be addressed by an appropriate condition of consent. The proposal therefore satisfies the requirements of Clause 2.2.11.5.

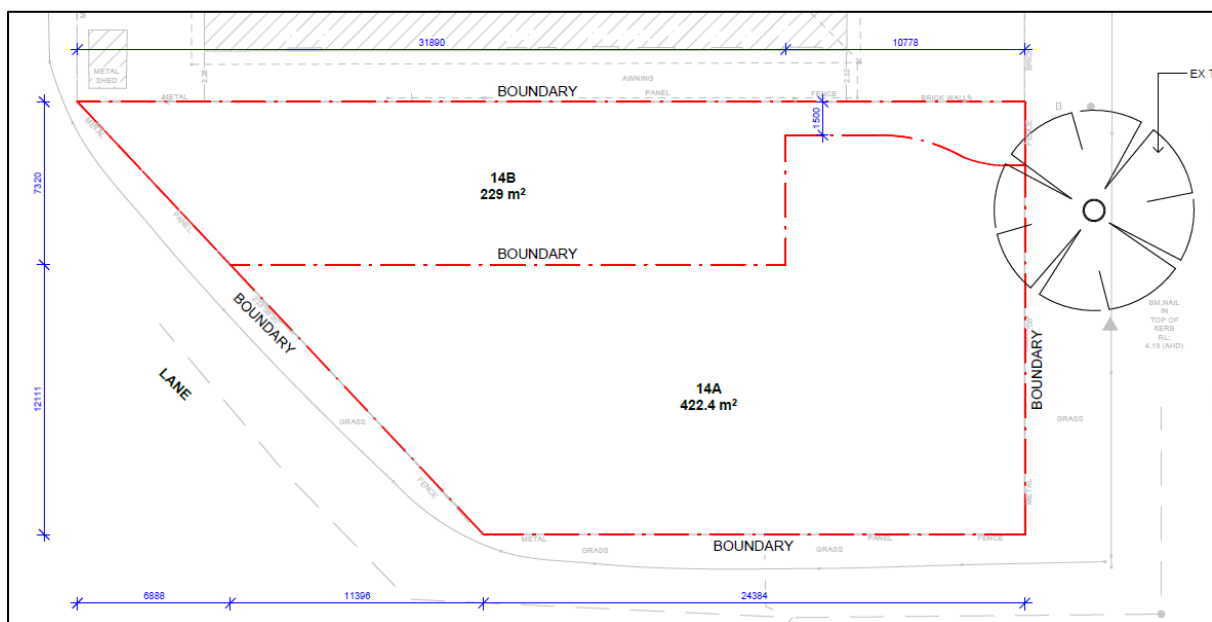


Figure 7: Proposed Subdivision Plan (Source: NININ Studio)

4.2.5 Waste management and collection

A Waste Management Plan has been prepared and submitted in support of the application addressing the demolition, construction and ongoing operational waste streams. During occupation, each dwelling will be provided with its own waste and recycling bins, which will be presented for kerbside collection in accordance with Council's domestic collection service. The proposal is consistent with the requirements of CCDCP 2022 Chapter 2.14 (Site Waste Management).

4.2.6 Landscaping

A landscape plan has been prepared and submitted in support of the application. The proposal provides 204 m² (31.3% of the site) of soft landscaped area, comfortably exceeding the 25% minimum, with 173.3 m² of deep soil planting (84.9% of the soft landscape area, against a 50% minimum). Landscaping is provided to the Beach Street frontage to reinforce the established streetscape character, together with private gardens and street tree planting. Refer to the landscape drawings for further detail.

4.2.7 Excavation and filling

Given the gentle fall across the site and the absence of any basement level, only minor earthworks are required to establish building platforms, the swimming pool and associated drainage. Cut and fill is minor and is contained within the limits of CCDCP 2022 Chapter 2.2. A geotechnical report has been prepared and submitted in support of the application. As the site is mapped as Class 4 for acid sulfate soils, works are not expected to extend beyond 2 metres below the natural ground surface and are not anticipated to affect the water table; the management of acid sulfate soils, if encountered, can be addressed by an appropriate condition of consent.

4.2.8 Materials and façade treatment

The external materials and finishes have been selected to complement the coastal residential character of the locality and the desired future character of the area, and comprise a restrained, contemporary palette. Refer to the material schedule and elevations within the architectural package for further information.

4.2.9 Vehicular and pedestrian access

Pedestrian access to the front dwelling (14A) is provided from Beach Street. Vehicular access and enclosed garaging for both dwellings is taken from the rear laneway, with the rear dwelling (14B) also taking its pedestrian access from Beach Street. This arrangement locates all vehicular access and parking away from the Beach Street frontage, reinforcing the landscaped and pedestrian quality of the primary streetscape.

4.2.10 Estimated development cost

The estimated development cost (EDC) of the proposal is \$1,763,315.84 (excluding GST), as set out in the Estimated Development Cost Report prepared by a qualified quantity surveyor and submitted in support

of the application. As the EDC does not exceed \$30 million, the proposal does not constitute regionally significant development under Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021, and Council is the consent authority for the application.

5. Environmental Planning Assessment

5.1 Water Management Act 2000

The proposal does not involve a basement or deep excavation and is not anticipated to require construction dewatering or any controlled activity on waterfront land. In accordance with Section 4.47 of the EP&A Act 1979, the application is not required to be referred to WaterNSW as integrated development.

5.2 Environmental Planning & Assessment Regulation 2021

This report considers the environmental consequences of the development as required under Part 3, Division 1 of the EP&A Regulation 2021. The potential environmental impacts of the proposal have been identified through a review of the applicable planning instruments outlined below, a review of the site and its context, and a review of the supporting consultant documentation. The assessment concludes that the environmental impacts of the development are within the limits reasonably anticipated for the site and its surrounds.

Clause 61 – Demolition. All demolition work will be undertaken in accordance with Clause 61 of the EP&A Regulation 2021, which requires the consent authority to consider AS 2601–2001 (The Demolition of Structures).

Clause 69 – Compliance with the BCA. Pursuant to the prescribed conditions in Clause 69 of the EP&A Regulation 2021, any building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA). The proposed dwellings are capable of complying with the relevant provisions of the BCA and the National Construction Code, and compliance can be confirmed at the construction certificate stage.

5.3 Environmental Planning and Assessment Act 1979

5.3.1 Section 1.3 – Objects.

The proposal is consistent with the objects of the EP&A Act 1979. In particular, it promotes the orderly and economic use and development of land; facilitates ecologically sustainable development through a high standard of environmental performance; promotes the delivery of housing and good design and amenity of the built environment; and promotes the proper construction and maintenance of buildings. The proposal results in no unreasonable adverse impacts on the environment or on neighbouring properties.

5.3.2 Section 4.15 – Evaluation.

Section 4.15(1) of the EP&A Act 1979 specifies the matters that a consent authority must consider when determining a development application. The relevant matters are addressed in the table below.

Table 3: EP&A Act 1979 – Section 4.15(1) Assessment

Matter for consideration	Assessment
(a)(i) Provisions of any EPI	The proposal has been assessed against the CCLEP 2022 and the applicable SEPPs.
(a)(ii) Provisions of any proposed instrument	No relevant proposed instrument applies to the proposal.
(a)(iii) Provisions of any DCP	The proposal has been assessed against the CCDCP 2022, Chapter 2.2 (Dual Occupancy and Multi-Dwelling Housing) and other relevant chapters. The proposal complies with, or satisfies the objectives of, the relevant controls.
(a)(iia) Any planning agreement	No planning agreement applies to the proposal.
(a)(iv) Provisions of the EP&A Regulation	The relevant prescribed matters under the EP&A Regulation 2021 are addressed.
(b) Significant likely impacts of the development	The likely environmental, social and economic impacts of the proposal have been assessed and are acceptable.
(c) Suitability of the site	The site is suitable for the proposed development, being a regular, serviced residential allotment in the R1 zone. The only notable constraint is flooding, a minor portion of the front of the site being flood affected, which can be appropriately managed through the design of the proposal and conditions of consent.
(d) Any submissions	To be considered by Council following public notification of the application.
(e) The public interest	The proposal is in the public interest as it delivers additional, well-designed housing consistent with the planning framework with no unreasonable impacts.

5.3.3 Section 4.46 – Integrated Development.

The proposal does not require any approval, permit or licence under the legislation listed in Section 4.46 of the EP&A Act 1979 and is therefore not integrated development. The proposal does not involve works to a heritage item, does not require an environmental protection licence, is not within a bushfire prone area, and does not require a controlled activity approval.

5.4 State Environmental Planning Policies (SEPPs)

An assessment of the proposal against the relevant State environmental planning policies is provided below.

5.4.1 SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management – The site is located within the Ettalong Beach locality but is not mapped within the coastal wetlands or littoral rainforests area, the coastal vulnerability area but is located within the Coastal Environment Area (Section 2.10) and the Coastal Use Area (Section 2.11), as shown below:



Figure 8: Chapter 2 Coastal Use Area (left) and Coastal Environment Area (right) (Source. NSW Planning Portal)

The proposed works are located within an existing disturbed area of the site with the extent of earthworks has been limited as far as possible. The subject site is private land, access to and/or along the coastal use areas for any members of the public is not impacted by the works. The proposal is unlikely to impact the water quality given appropriate stormwater management system is proposed,

The proposal satisfies the relevant matters for consideration for the coastal environment area or the coastal use area under the SEPP (Resilience and Hazards) 2021. No further assessment under Chapter 2 is required.

Chapter 4 – Remediation of Land – Consideration has been given to the potential for contamination under Chapter 4 of the SEPP. The site has a long history of residential use, and there is no information to indicate that the site has been used for any potentially contaminating activity. The land is considered suitable for the continued residential use proposed, and further investigation is not warranted in this instance.

5.4.2 SEPP (Transport and Infrastructure) 2021

The provisions of the SEPP (Transport and Infrastructure) 2021 have been considered. The proposal does not front a classified road and does not generate traffic of a scale that would trigger the referral provisions of the SEPP. Vehicular access is taken from the rear laneway. The proposal is satisfactory having regard to the relevant provisions of the SEPP.

5.4.3 SEPP (Sustainable Buildings) 2022

Chapter 2 Standards for residential development—BASIX

A BASIX Certificate has been prepared and submitted with the application, and each dwelling is supported by a NatHERS thermal performance certificate. The proposal achieves a high standard of environmental performance, having been prepared by a Certified Passivhaus Designer. A standard condition is recommended requiring that the commitments listed in the BASIX Certificate be incorporated into the construction certificate drawings and implemented. The proposal satisfies the residential development standards of Chapter 2 of the SEPP (Sustainable Buildings) 2022.

Chapter 3 Standards for non-residential development

Chapter 3 (non-residential development) does not apply.

5.4.4 SEPP (Biodiversity and Conservation) 2021

Chapter 2 (Vegetation in non-rural areas) of the SEPP defers to the relevant Council DCP provisions for the assessment of vegetation removal in this case being Chapter 3.5 Tree and Vegetation Management.

*“tree” means a perennial plant with at least one self-supporting woody or fibrous stem, which: a b
Is 3 metres or more in height; or Has a trunk diameter of 75 mm or more measured at 1.4 metres
above ground level.*

The proposal involves the removal of two (2) declared prescribed trees on-site, as specified above. Notwithstanding this, they are not worthy of retention, notably the significant street trees are all retained and to be protected. Furthermore, the redevelopment of the site is supported by an enhanced landscape scheme which includes replacement planting and generous tree canopy cover as detailed in the submitted Landscape Plan.

5.5 Central Coast Local Environmental Plan 2022

The CCLEP 2022 is the principal environmental planning instrument applying to the site. An assessment of the proposal against the relevant clauses of the CCLEP 2022 is provided in the table below.

Table 4: Central Coast LEP 2022 – Compliance Assessment

Clause	Requirement	Proposed / Assessment	Comply
2.3 Zone objectives & Land Use Table	Dual occupancy and subdivision are permissible with consent in the R1 General Residential zone. Development must be consistent with the zone objectives.	The proposal is a permissible form of development and is consistent with the R1 zone objectives, providing for the housing needs of the community in a serviced residential area.	Yes
4.1 Minimum subdivision lot size	Minimum lot size of 550 m ²	The site (651.4 m ²) exceeds the 550 m ² minimum lot size.	Yes
4.1B Minimum lot sizes for dual occupancies	Minimum lot size of 550 m ² (attached dual occupancy).	The site (651.4 m ²) exceeds the 550 m ² minimum lot size for a attached dual occupancy.	
4.1C Exceptions to minimum lot sizes for dual occupancies	In the R1 zone, consent may be granted for the erection of a dual occupancy and the subdivision of the land into 2 lots both smaller than the minimum lot size if the application proposed under a single application.	The proposal involves the erection of a dual occupancy and the subdivision into Lot 14A (422.4 m ²) and Lot 14B (229 m ²) is expressly permitted under Clause 4.1C.	Yes
4.3 Height of buildings	Maximum building height of 8.5 m.	The maximum building height is 7.9 m.	Yes
4.4 Floor space ratio	Maximum FSR of 0.5:1 (325.7 m ²).	Proposed FSR is 0.546:1 (355.6 m ²), an exceedance of 29.9 m ² (approx. 9.2%). Supported by a written request under Clause 4.6.	No – refer to Cl 4.6

Clause	Requirement	Proposed / Assessment	Comply
4.6 Exceptions to development standards	A written request may justify a variation to a development standard where strict compliance is unreasonable or unnecessary and there are sufficient environmental planning grounds.	A written request under Clause 4.6 accompanies the application, addressing the FSR variation.	Refer to CI 4.6
5.10 Heritage conservation	Conserve the environmental heritage of the Central Coast, including heritage items, conservation areas, archaeological sites and Aboriginal objects and places of heritage significance.	<u>Heritage Items and Conservation Areas</u> The site does not contain a heritage item and is not located in a Heritage Conservation Area (HCA) nor located within the vicinity of any items or HCA's <u>Aboriginal Heritage</u> The site is not located within the vicinity of any areas of any aboriginal sites or places (as confirmed by the AHIMS search submitted with the DA.	Yes
5.21 Flood Planning	The clause applies to land identified on the flood planning area on the flood planning map and other land at or below the flood planning level.	The site is a flood control lot. A minor portion of the front of the site is mapped within the 1% AEP (1 in 100 year) flood extent under the Woy Woy Floodplain Risk Management Study and Plan, 2023. The flood planning level (minimum habitable floor level) for the site is 5.10m AHD. The habitable floor levels of the proposed dwellings are generally set at or above the flood planning level,	Yes (on merit)

Clause	Requirement	Proposed / Assessment	Comply
		and the proposal has been sited and designed to be compatible with the flow of flood waters, to avoid adverse impacts on flood behaviour, and not to increase risk to life or property. The proposal is consistent with the objectives and matters for consideration under Clause 5.21. A Flood Report prepared by a suitably qualified engineer can be provided to confirm compliance with the relevant flood levels and requirements if required by Council. 	
5.22 Special Flood Considerations	The clause applies to land between the flood planning area and the level of the probable maximum flood (PMF), and enables consent to be granted having regard to flood behaviour and the impacts of more frequent and larger flood events on the safety, access and evacuation of occupants.	A portion of the site is identified within the Flood Precincts and lies between the flood planning area and the level of the PMF (4.79–4.81m AHD). The proposal adopts habitable floor levels generally at or above the flood planning level of 5.10m AHD and provides secondary pedestrian access to the rear laneway, which is above the flood-affected area, enabling safe access and evacuation. The	Yes (on merit)

Clause	Requirement	Proposed / Assessment	Comply
		proposal is compatible with the flood hazard of the land (which is not mapped as a high hazard, high risk, floodway, flood storage or flow path area) and satisfies the matters for consideration under Clause 5.22. Compliance can be confirmed by a Flood Report prepared by a suitably qualified engineer if required by Council.	
7.1 Acid sulfate soils	Class 4 land — consent required for works more than 2 m below natural ground surface or that lower the water table.	Works are minor and not expected to extend beyond 2 m or affect the water table.	Yes
7.2 Drinking water catchments	protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.	N/A – the Site is not identified on the Drinking Water Catchment Map.	N/A
7.6 Essential services	Services that are essential for the development are available or that adequate arrangements have been made to make them available when required— – the supply of water, – the supply of electricity, – the disposal and management of sewage,	Existing connection to all necessary essential services is available.	Yes

Clause	Requirement	Proposed / Assessment	Comply
	– stormwater drainage or on-site conservation, – suitable vehicular access, – the collection and management of waste.		

5.6 Central Coast Development Control Plan 2022

The CCDCP 2022 contains detailed objectives and controls used by Council when determining development applications under Section 4.15(1) of the EP&A Act 1979. The chapter most relevant to the proposal is Chapter 2.2 (Dual Occupancy and Multi-Dwelling Housing), supported by Chapter 2.13 (Transport and Parking) and Chapter 2.14 (Site Waste Management).

In relation to numerical compliance, attention is drawn to Section 4.15(3A) of the EP&A Act 1979, which requires the consent authority to be flexible in applying DCP provisions and to allow reasonable alternative solutions that achieve the objectives of those provisions where strict numerical compliance is not achieved. The proposal has been designed to comply with the relevant controls; where any departure arises, justification is provided in the assessment below.

5.6.1 Chapter 2.2 – Objectives and Character

Chapter 2.2 of the CCDCP 2022 seeks to ensure that dual occupancy and multi-dwelling housing is well designed, responds to the streetscape and character of the locality, provides a high standard of amenity for occupants and neighbours, and integrates landscaping and deep soil planting. The proposal is consistent with these objectives: it maintains a landscaped, dwelling-scaled presentation to Beach Street; locates parking and vehicular access to the rear laneway; provides generous private open space and deep soil planting; and adopts a building height, scale, articulation and materials palette that is compatible with the established and desired future character of the Ettalong Beach locality.

5.6.2 Chapter 2 – Table of Compliance

Table 5: Central Coast DCP 2022 – Table of Compliance

Control	Requirement	Proposed	Comply
Chapter 2.2 Dual Occupancy and Multi Dwelling Housing			
2.2.2. Site and Context Analysis			

Control	Requirement	Proposed	Comply
Site Analysis	Site Analysis Plan required.	Site Analysis Plan provided.	Yes
2.2.3 Building Scale			
2.2.3.1 Height	• ≤ 8.5 m (as per LEP) • Two storey (max) permitted unless sloping site	7.9 m Two-storeys proposed	Yes
2.2.4 Building Density			
2.2.4.1 Lot Size Requirements	• Minimum lot size (dual occupancy) – 550m²	651.4 m ²	Yes
	• Minimum lot size (dual occupancy) on battle-axe lot– 1000m² (only where slope ≥ 15%) • Minimum lot size (dual occupancy) on battle-axe lot– 1200m² (only where slope ≥ 20%)	Slope approx. 2.8% - control not triggered	Yes
2.2.4.2 Floor Space Ratio	• 0.5:1 (325.7 m²) for Dual Occupancy and semi-detached dwellings • 0.6:1 (Xm²) for Multi-dwelling housing and attached dwellings	0.546:1 (355.6 m ²)	No – refer to Cl 4.6
2.2.4.3 Site Coverage	• Soft landscaped area – ≥ 25% of site (162.85 m²)	204 m ² (31.3%)	Yes

Control	Requirement	Proposed	Comply
2.2.5 Building Setbacks			
a. Front setback (Beach Street)	Average of nearest dwellings, or 4.5 m (local roads)	6.61m	Yes
b. Side setbacks	0.9 m (up to 4.5 m wall height;) 1.23m (up to 5.8 m wall height) 1.9m (up to 8.5m wall height) <i>for any part of the building with a height of more than 4.5m—0.9m plus one-quarter of the height of the building above 4.5m</i>	1.5m (west) 4.9m (east) Designed in accordance with the control with articulation to side elevations	Yes
c. rear setbacks	4.5m 3.0m (to road or reserve)	Dwelling 14A – 2.6m to -9.5m Dwelling 14B – 1.3m to >3m	Yes (on merit) – average complies
e. Corner Allotments side street – dual occupancy	2.0m		
2.2.6.1 Facades & Articulation	Wall Articulation – No unbroken wall > 10 m × 3 m	Elevations articulated with offsets, openings and material changes	Yes
2.2.6.3 Residential Address	- Passive surveillance from windows - Street number and building access to be	Windows overlook street and rear lane. Primary address to Beach Street for both dwellings.	Yes

Control	Requirement	Proposed	Comply
	easily identified from the street		
2.2.7.2 Privacy	- To provide and maintain reasonable levels of visual privacy both internally and externally, during day and night - To maximise outlook and views from living rooms and private open space without compromising visual privacy - To ensure a high level of amenity by protecting the privacy of residents both within dwellings and in private open space areas	Development has been designed to protect privacy to adjoining properties and privacy between proposed dwellings.	Yes
2.2.7.3 Private Open Space Areas	≥ 45 m² per dwelling, min. 4.5 m dimension ground level on flat ground	14A: 45 m² (4m min dimension) 14B: 45 m² (4m min dimension) At ground level / relatively flat	Yes
2.2.7.5 Sunlight Access	50% of principal POS to receive ≥ 3 hrs sun, 9 am–3 pm, 21 June	Achieved refer shadow diagrams submitted with the application.	Yes

Control	Requirement	Proposed	Comply
	(proposed development) 50% of principal POS to receive ≥ 3 hrs sun, 9 am–3 pm, 21 June (adjoining development) - Shadow Diagrams required for development ≥ 2 storeys		
2.2.8.1 Car Parking	1 enclosed space per dwelling (min. 3.0×5.4 m)	14A: 2 spaces (in garage) 14B: 2 spaces (1 hardstand + 1 garage)	Yes
Visitor parking	1 space per 5 dwellings	N/A – Not triggered for a dual occupancy	N/A
2.2.9 Earthworks and Structural Support	- Cut ≤ 1 m within 1 m of boundary, ≤ 3 m elsewhere; - fill ≤ 1 m	Minor earthworks only on a gently graded site	Yes
2.2.10 Landscaping			
2.2.10.1 Landscape Design - General	Landscape Plan required.	Landscaped Plan prepared by qualified professional provided.	Yes
2.2.10.2 Street Trees	2 semi-advanced trees per 15 m of frontage	Street trees can be conditioned if deemed necessary.	Yes
2.2.10.3 Deep Soil	$\geq 50\%$ of soft landscape (102 m^2)	173.3 m^2 (84.9%)	Yes

Control	Requirement	Proposed	Comply
2.2.10.4 Fencing	Max. 1.2 m front along the front boundary Max 1.8m for courtyard/dividing fences	Front fencing in accordance with the control	Yes
2.2.11 Building Services			
Services - General	All sites shall be provided with adequate water and sewer services, as well as telecommunications and power	Existing connection to all necessary essential services is available.	Yes
Stormwater Management	stormwater Management plan required.	Stormwater Management Plan submitted with the DA.	Yes
Garbage and Waste Services	Waste Management Plan required.	Waste Management Plan submitted with the DA.	Yes
Dual Occupancy Subdivision	Draft Plan of Subdivision required. CI 2.2.11.5(a) requires the application to include: (i) a proposed plan of subdivision; (ii) details of proposed easements, rights of carriageway or restrictions as to user; and (iii) details of existing easements or services on site and proposed services for each dwelling.	Draft Torrens title subdivision plan submitted with the DA. The proposal is a simple two lot Torrens title subdivision following the common boundary between the dwellings. No easements, rights of carriageway or restrictions as to user are proposed or required, and there are no existing easements affecting the site. Each dwelling is provided with its own separate and independent services; the provision and connection of	Yes

Control	Requirement	Proposed	Comply
		separate services to each lot can be addressed by a condition of consent. The requirements of cl 2.2.11.5 are satisfied.	

5.6.3 Chapter 3 – Table of Compliance

Table 6: Central Coast DCP 2022 – Table of Compliance

Control / Requirement	Proposal	Comply
Chapter 3.1 Floodplain Management and Water Cycle Management	The site is a flood control lot. A minor portion at the front of the site is mapped within the 1% AEP flood extent and Flood Precincts under the Woy Woy Floodplain Risk Management Study and Plan, 2023. The proposal adopts habitable floor levels generally at or above the flood planning level of 5.10m AHD, maintains safe access and evacuation to the rear laneway, and is consistent with the objectives of Chapter 3.1. A Flood Report prepared by a suitably qualified engineer can be provided to confirm compliance with Council's floodplain management requirements if required.	Yes (on merit)
Chapter 3.2 Coastal Hazard Management	The site is not affected by coastal hazards	N/A
Chapter 3.3 On site Sewage Management	Not applicable	N/A
Chapter 3.4 Water Catchment Areas	The site is not located within a water catchment area	N/A

Control / Requirement	Proposal	Comply
Chapter 3.5 Tree and Vegetation Management	The proposal involves the removal of two (2) declared prescribed trees on-site, as specified above. Notwithstanding this, they are not worthy of retention, notably the significant street trees are all retained and to be protected. Furthermore, the redevelopment of the site is supported by an enhanced landscape scheme which includes replacement planting and generous tree canopy cover as detailed in the submitted Landscape Plan.	Yes
Chapter 3.6 Heritage Conservation	The site does not contain heritage significance	Yes
Chapter 3.7 Geotechnical Requirements	The site is not known to be subject to potential landslip issues. A Geotechnical Report has been submitted with the DA.	Yes

6. Environmental Assessment

This section assesses the potential impacts of the proposal on the natural and built environments, the suitability of the site, and the public interest, in accordance with Section 4.15 of the EP&A Act 1979.

6.1 Assessment of Natural Environmental Impacts

6.1.1 Topographic and Scenic Impacts

The site is gently graded (a fall of approximately 1 metres across its depth) and only minor earthworks are required to establish building platforms, the swimming pool and drainage. The proposal does not include a basement and substantially retains the existing landform. The site does not contain any significant scenic features, and the proposal will not result in any adverse topographic or scenic impact.

6.1.2 Water and Air Quality Impacts

A stormwater management design and certificate have been prepared and submitted with the application. With the implementation of the proposed stormwater measures, the development is unlikely to result in

any adverse water quality or quantity impacts on the locality. Stormwater will be managed in accordance with the engineer's recommendations and any conditions of consent.

6.2 Assessment of Built Environmental Impacts

6.2.1 Impact on Character

The locality is an established coastal residential neighbourhood characterised by a mix of single and two storey dwellings, dual occupancies and low-rise multi-dwelling development, undergoing progressive renewal of its older housing stock. In our opinion, the proposed two storey dual occupancy represents a high-quality, contextually appropriate built form that will make a positive contribution to the locality. It replaces an ageing single dwelling and detached studio with a well-designed, energy-efficient development that responds to both street frontages.

The proposal maintains a landscaped, dwelling-scaled presentation to Beach Street and locates vehicular access and garaging to the rear laneway, reinforcing the pedestrian and landscape quality of the primary streetscape. The two storey scale, articulation, roof form and materials palette are consistent with the established and desired future character of the area, and the proposal complies with the 8.5 m height limit and the landscaped area and deep soil controls. The modest FSR variation is not discernible in the built form. The proposal is therefore compatible with the character of the locality.

6.2.2 Solar Access

Shadow diagrams for 9 am to 3 pm on 21 June have been prepared and submitted with the application. The diagrams demonstrate that the proposal provides an acceptable standard of solar access to the private open space of both dwellings and does not result in any unreasonable overshadowing of the private open space or principal windows of adjoining properties.

6.2.3 Visual and Aural Privacy

The proposal has been designed to minimise visual and aural privacy impacts on neighbouring properties. Habitable room windows and balconies are oriented towards the street frontages and the dwellings' own private open space, and privacy measures, landscaping and fencing are provided along the side and intervening boundaries. Mechanical plant will be located and treated to avoid unreasonable noise impacts, and standard conditions regarding plant noise can be imposed. The proposal achieves an acceptable standard of visual and aural privacy.

6.2.4 Views

The site is within an established residential area and is not located in a primary view corridor. The two storey built form complies with the height limit and is consistent with the scale of surrounding development. The proposal will not result in any unreasonable loss of views from adjoining properties or

the public domain when assessed against the principles in *Tenacity Consulting v Warringah* (2004) NSWLEC 140.

6.2.5 Waste Management

As set out in the accompanying Waste Management Plan, demolition and construction waste will be managed and disposed of in accordance with best practice and Council requirements. During occupation, each dwelling will be provided with its own bins, presented for kerbside collection in accordance with Council's domestic collection service. The proposal is consistent with CCDCP 2022 Chapter 2.14.

6.3 Assessment of Site Suitability

6.3.1 Proximity to Services and Infrastructure

The site is a serviced residential allotment within the established suburb of Ettalong Beach, with reticulated water, sewer, electricity and telecommunications available. The site is well located in relation to the Ettalong Beach foreshore and reserves, the village retail and dining precinct, schools and public transport, including local bus services and the Ettalong–Palm Beach ferry. The site is suitable for the proposed residential intensification.

6.3.2 Hazards

The site is not affected by bushfire or land slip and is not within a coastal hazard area. The site is, however, a flood control lot: a minor portion at the front of the site is mapped within the 1% AEP flood extent and the Flood Precincts, and part of the site lies below the level of the probable maximum flood. The proposal adopts habitable floor levels generally at or above the flood planning level of 5.10m AHD, maintains safe pedestrian access and evacuation to the rear laneway, and the flooding constraint can be appropriately managed through design and conditions of consent, with a Flood Report available if required by Council.

The land is mapped as Class 4 for acid sulfate soils; however, the works are minor and are not expected to extend beyond 2 metres below the natural ground surface or to affect the water table, and any acid sulfate soils encountered can be managed by an appropriate condition of consent.

The site is suitable for the proposed development.

6.4 Public Interest

6.4.1 Social and Economic Impacts

The proposal delivers a well-designed, energy-efficient dual occupancy that contributes to the supply and diversity of housing in a well-located and serviced coastal suburb. It will generate economic activity and employment during the demolition and construction phases and provide additional housing capable of accommodating a range of households. The social and economic impacts of the proposal are positive.

6.4.2 The Public Interest

The proposal is a permissible, contextually appropriate development that is consistent with the objectives of the R1 General Residential zone, the CCLEP 2022 and the CCDCP 2022. It maintains appropriate levels of amenity for neighbours, contributes positively to the streetscape and local character, and delivers additional housing in a well-connected location. The proposal is in the public interest.

7. Conclusion

This SEE provides an assessment of the proposed demolition of the existing structures and construction of a two storey dual occupancy with Torrens title subdivision into two lots at 14 Beach Street, Ettalong Beach. The proposal has been assessed in accordance with Section 4.15 of the EP&A Act 1979 and against the relevant environmental planning framework, including the applicable SEPPs, the CCLEP 2022 and the CCDCP 2022. The development is permissible in the R1 General Residential zone and is consistent with the relevant zone objectives.

On the basis of the assessment in this report, the proposal is considered worthy of support for the following reasons:

- The proposal is consistent with the aims and objectives of the Central Coast Local Environmental Plan 2022 (CCLEP 2022) and the Central Coast Development Control Plan 2022 (CCDCP 2022). The proposal incorporates a single variation to a development standard, the floor space ratio (FSR) control which is supported by a written request prepared under Clause 4.6 of the CCLEP 2022 demonstrating that strict compliance is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the variation;
- The proposal is a permissible form of development in the R1 General Residential zone and delivers additional housing supply and diversity consistent with the objectives of the zone and the Housing SEPP;
- The subdivision of the land into two lots, each below the minimum lot size, is expressly permitted under Clause 4.1C of the CCLEP 2022;
- The character and scale of the proposal is compatible with the existing and desired future character of the Ettalong Beach locality;
- The proposal delivers a high standard of internal and external amenity for future occupants and achieves a high standard of environmental performance;
- There will be no unreasonable adverse impacts on the environment or on neighbouring properties as a result of the proposal; and
- The proposed development is suitable for the site and is in the public interest.

The application is accompanied by a comprehensive suite of supporting documentation, including architectural drawings, a survey, landscape drawings, a geotechnical report, stormwater drawings and certificate, a BASIX Certificate and NatHERS certificates, a waste management plan, an AHIMS search, shadow diagrams, a notification plan, an estimated development cost report, and a written request under Clause 4.6 of the CCLEP 2022. For the reasons set out in this report, the proposal is suitable for the site and locality and is worthy of Council's support and approval.