



# STATEMENT OF ENVIRONMENTAL EFFECTS

**Multi dwelling housing development (3 units)**

**7 Winifred Avenue Umina Beach  
Lot 32 Sec 2 DP 19850**

**May 2026**

[www.townplanningcollective.com.au](http://www.townplanningcollective.com.au)

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**Lot 32 Sec 2 DP 19850**  
**7 Winifred Avenue Umina Beach**

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## Table of Contents

|       |                                                                               |    |
|-------|-------------------------------------------------------------------------------|----|
| 1     | Introduction .....                                                            | 4  |
| 1.1   | Purpose of Report .....                                                       | 4  |
| 1.2   | Background .....                                                              | 4  |
| 2     | The Site .....                                                                | 6  |
| 3     | The Proposal .....                                                            | 8  |
| 3.1   | Proposed Development .....                                                    | 8  |
| 4     | Planning Assessment .....                                                     | 12 |
| 4.1   | Environmental Planning & Assessment Act 1979 (The Act) .....                  | 12 |
| 4.1.1 | Objectives Of The Act.....                                                    | 12 |
| 4.1.2 | Section 4.15 Assessment .....                                                 | 13 |
| 4.1.3 | Legislation And Controls .....                                                | 14 |
| 4.2   | Environmental Planning Instruments .....                                      | 14 |
| 4.2.1 | State Environmental Planning Policy (Resilience and Hazards) 2021.....        | 15 |
| 4.2.2 | State Environmental Planning Policy (Transport And Infrastructure) 2021 ..... | 16 |
| 4.2.3 | Central Coast Local Environmental Plan 2022 .....                             | 17 |
| 4.2.4 | Central Coast Development Control Plan 2022 .....                             | 19 |
| 5     | Environmental Assessment .....                                                | 34 |
| 5.1   | Aboriginal Archaeology .....                                                  | 34 |
| 5.2   | Context And Setting .....                                                     | 34 |
| 5.3   | Public Domain .....                                                           | 34 |
| 5.4   | Social And Economic Impact .....                                              | 34 |
| 5.5   | Ecologically Sustainable Development .....                                    | 34 |
| 5.6   | Suitability Of The Site.....                                                  | 34 |
| 5.7   | The Public Interest .....                                                     | 35 |
| 6     | Conclusion .....                                                              | 35 |

## **1 Introduction**

### **1.1 Purpose of Report**

This report has been prepared in support of a development application for the demolition of all existing structures and the construction of a multi dwelling housing development comprising three (3) dwellings at 7 Winifred Avenue, Umina Beach.

A previous development application for a similar proposal was lodged with Central Coast Council under DA/1743/2024. That application was subsequently refused by Council on 30 June 2025.

The current development application has been prepared having regard to the matters previously raised by Council and incorporates amendments to the design, landscaping, parking layout and supporting documentation. The revised proposal seeks to provide an improved planning and design outcome for the site whilst maintaining consistency with the relevant planning controls applicable to the land.

### **1.2 Background**

A previous development application (DA/1743/2024) was lodged with Central Coast Council on 19 November 2024 for the demolition of all existing structures and the construction of a three-unit multi dwelling housing development on the subject site. The application was subsequently refused by Council on 30 June 2025.

Council's concerns generally related to matters including landscaping provision, setbacks, private open space, solar access, privacy, vehicle manoeuvrability, stormwater management, servicing constraints and the overall design response for the site.

Following the refusal of the previous application, the proposed development has undergone a comprehensive redesign having regard to the matters previously raised by Council. The current application incorporates amendments to the site layout, building design, landscaping, parking arrangements and supporting technical documentation in order to provide an improved planning and design outcome for the site.

The revised proposal has been prepared to achieve a development outcome that is more consistent with the relevant provisions of the Central Coast Local Environmental Plan 2022 and Central Coast Development Control Plan 2022, whilst maintaining a suitable level of residential amenity for both future occupants and adjoining properties.

The following assessment demonstrates that the proposed development is capable of achieving compliance with the applicable planning controls and represents an appropriate form of development for the site.

Outlined below are the reasons for refusal provided by Council with corresponding responses.

*1. The proposal is not satisfactory having regard for the relevant environmental planning instruments, plans and policies.*

**Comment:** The revised plans and responses detailed within this report show that the development provides a good design that generally complies with the LEP and DCP.

*2. Inadequate information has been provided to identify and address the likely impacts of the development as required by the planning controls and Clause 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 including:*

- *The application proposes a number of variations to the applicable DCP.*
- *The removal of existing vegetation on the site has not been suitably addressed or replaced by the proposed landscaping on the site.*

**Comment:** The application has been amended to achieve a development that has a more compliant outcome for the site with all variations being addressed. It is noted that the development now provides a better outcome regarding vegetation and landscaping.

*3. The application is not consistent with the objectives of the R1 General Residential zone as the application does not propose a suitable design for the site.*

**Comment:** The amended design is considered to achieve the objectives of the R1 General Residential zone with the development providing a more suitable design for the site compared to the original plans submitted. The additional landscaping for the site and amended floor plans result in a development that provides amenity for the residents while mitigating negative residential amenity for adjoining properties.

*4. The proposal is not satisfactory in terms of the precursor requirements of Clause 7.9 of Central Coast Local Environmental Plan 2022 particularly in regard to impacts on the existing sewer main and stormwater management.*

**Comment:** The proposed development achieves compliance as per the engineering plans submitted with the redesign.

*5. The proposed development is contrary to Chapter 2.2 of Central Coast Development Control Plan 2022 in that:*

- a) The application does not provide sufficient soft landscaping on the site.*
- b) The application does not meet the minimum side and rear setbacks for multi dwelling housing.*
- c) The application would create privacy and overlooking issues to adjoining properties.*
- d) The application does not provide private open space areas that meet the minimum size and dimension requirements.*

- e) The application fails to provide sufficient solar access to Dwellings 1 and 2 private open space areas and internal areas.*
- f) The application does not provide sufficient landscape screening to proposal external parking areas at the front and rear of the site.*
- g) The application proposes an unsuitable visitor car space within the front setback and no car wash bay is designated within a visitor space.*
- h) The application has not demonstrated that vehicles are able to enter and exit the site from all parking spaces.*
- i) The application does not provide a landscape plan that provides suitable landscaping on the site, does not provide street trees, does not provide sufficient deep soil planting areas and does not provide details of fencing to be provided on the site and to side boundaries.*
- j) The application does not provide sufficient information to demonstrate the impacts to the existing sewer main and sewer inspection opening.*
- k) The application proposes a stormwater management plan that provides a number of incorrect details.*
- l) The application proposes a bin storage area that is not suitably designed and located.*

**Comment:** The design of the development has been modified to provide compliance with the DCP controls or to show compliance to areas that were otherwise ambiguous with the original plans.

## 2 The Site

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Location</b> | 7 Winifred Avenue is located within the established coastal suburb of Umina Beach on the Central Coast, in a quiet residential street characterised primarily by low-density detached dwellings of single-storey scale with some two-storey infill reflecting the area's gradual redevelopment. Allotments in the street are generally uniform in size and rectangular in shape, contributing to a consistent subdivision pattern, while the locality benefits from its close proximity to Umina Beach foreshore, public reserves, schools and community facilities. The site is also conveniently located near the Umina Beach shopping precinct and West Street commercial centre, providing retail and service amenities, and is supported by public transport connections to Woy Woy and the wider Central Coast. Overall, the locality retains a cohesive and family-oriented coastal suburban character with an incremental mix of older housing stock and newer dwellings. |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                 |                                                                                                                                                                                                                                                                         |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 |  <p><b>Figure 1:</b> Aerial image of the site (subject lot highlighted in yellow)</p>                                                                                                 |
| <p><b>Legal Description</b></p> | <p>Lot 32 Sec 2 DP 19850</p>                                                                                                                                                                                                                                            |
| <p><b>Zoning</b></p>            | <p>Pursuant to CCLEP 2022, the site is in Zone R1 General Residential (Figure 2 is an extract from the Land Zone Map).</p>  <p><b>Figure 2:</b> Zoning map of the subject site.</p> |

**Acid Sulfate**

The site is mapped as having class 4 acid sulfate soils as per the map below.

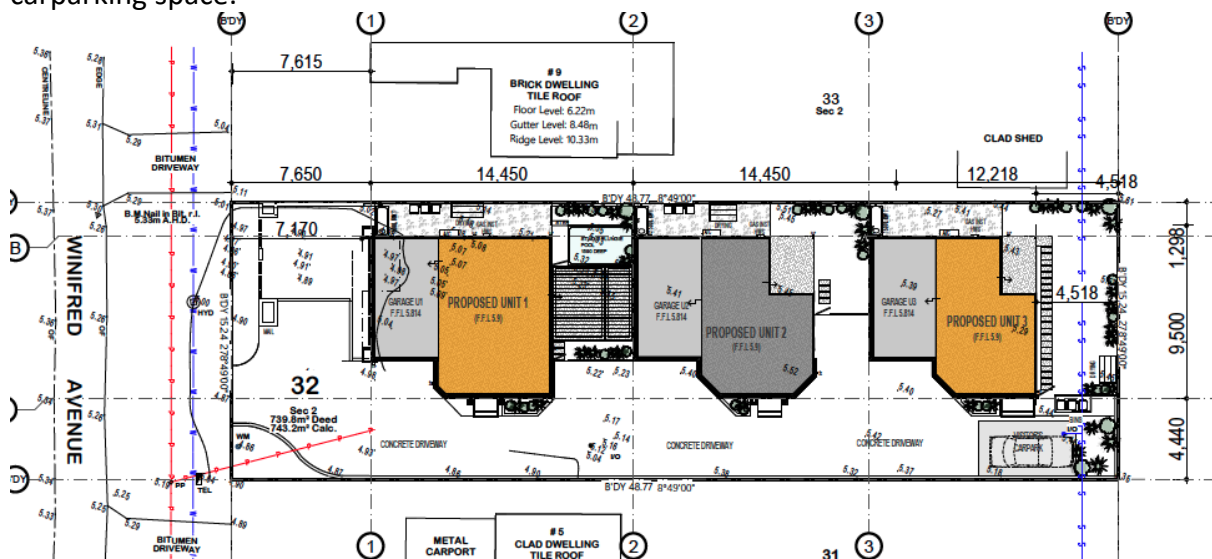


**Figure 3: Acid Sulfate Mapping of the site**

### 3 The Proposal

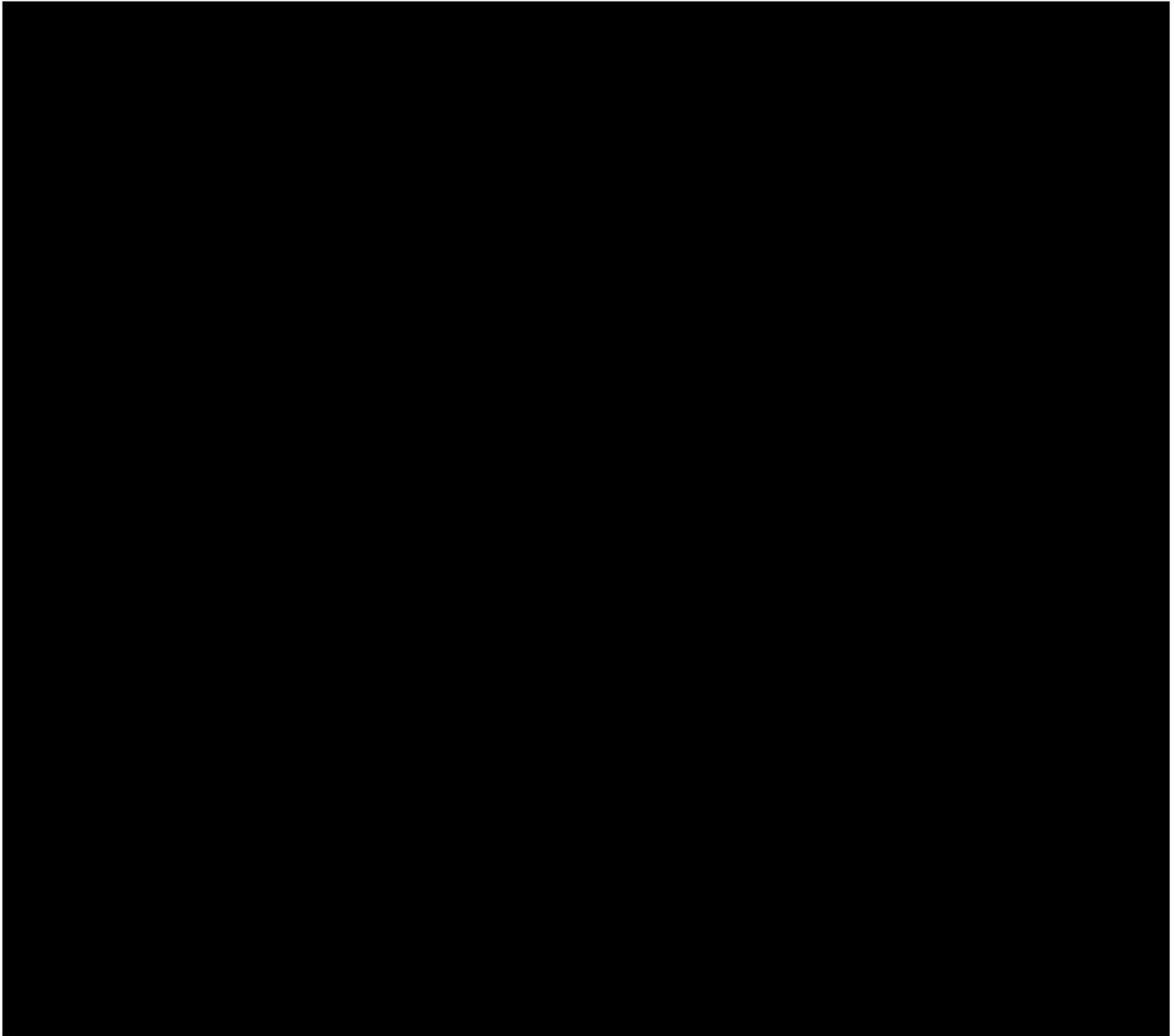
#### 3.1 Proposed Development

The proposed development involves the demolition of existing structures and construction of a multi dwelling housing development comprising of three dwellings with one visitor carparking space.



**Figure 4: Extract of the site plan of the development.**

#### Demolition



## **4 Planning Assessment**

### **4.1 Environmental Planning & Assessment Act 1979 (The Act)**

In New South Wales (NSW), the relevant planning legislation is the Environmental Planning and Assessment Act 1979 (EP&A Act). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the Department of Planning & Environment (DP&E). In 2017, the Act was amended to provide a range of updated objectives.

#### **4.1.1 Objectives Of The Act**

The objects of the EP&A Act are:

- (a) To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*



- (b) *To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *To promote the orderly and economic use and development of land,*
- (d) *To promote the delivery and maintenance of affordable housing,*
- (e) *To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *To promote good design and amenity of the built environment,*
- (h) *To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *To provide increased opportunity for community participation in environmental planning and assessment.*

It is considered that the proposal is consistent with the objectives of the EP&A Act.

#### 4.1.2 Section 4.15 Assessment

Section 4.15 of the EP&A Act outlines the matter for consideration in the determination of a Development Application. The relevant matters for consideration are addressed individually below.

| Section 4.15 Assessment Summary |                                                                                                                                                                                                                                                                                                                             |                                                                                             |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Clause No.                      | Clause                                                                                                                                                                                                                                                                                                                      | Assessment                                                                                  |
| (a)(i)                          | The provision of:<br>Any environmental planning instrument, and                                                                                                                                                                                                                                                             | The EPI's relevant to the proposed development are discussed in Section 4.2 of this report. |
| (ii)                            | Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director- General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and | N/A                                                                                         |
| (iii)                           | Any development control plan, and                                                                                                                                                                                                                                                                                           | The proposal has been considered against the requirements of the DCP                        |
| (iiia)                          | Any planning agreement that has                                                                                                                                                                                                                                                                                             | There are no planning agreements                                                            |

|      |                                                                                                                                                                      |                                                                                            |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|      | been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and                               | applying to the site or development.                                                       |
| (iv) | The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and                                                                  | Not subject to this application.                                                           |
| (v)  | (Repealed)                                                                                                                                                           | -                                                                                          |
| (b)  | The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, | The likely impacts of the proposal are discussed in <b>Section 4 and 5</b> of this report. |
| (c)  | The suitability of the site for the development,                                                                                                                     | The site is suitable for its intended purpose.                                             |
| (d)  | Any submissions made in accordance with this Act or the regulations,                                                                                                 | For consideration following notification of the development.                               |
| (e)  | The public interest.                                                                                                                                                 | The development is in the public interest.                                                 |

#### 4.1.3 Legislation And Controls

In relation to the proposed development, the relevant legislation and planning controls include the following:

- State Environmental Planning Policy (Biodiversity And Conservation) 2021
- State Environmental Planning Policy (Resilience And Hazards) 2021
- State Environmental Planning Policy (Transport And Infrastructure) 2021
- Central Coast Local Environmental Plan 2022
- Central Coast Development Control Plan 2022

The requirements of these are discussed at Section 4.2 of this Statement.

#### 4.2 Environmental Planning Instruments

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP) commenced on 1 March 2022 and consolidates several previous environmental planning instruments relating to biodiversity conservation, vegetation management and environmentally sensitive lands across New South Wales.

### Chapter 2 – Vegetation in Non-Rural Areas

Chapter 2 of the SEPP incorporates provisions of the former State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and provides planning controls relating to the clearing of native vegetation in urban and environmental zones where the clearing is not associated with a development application.

The subject site is zoned R1 General Residential under the Central Coast Local Environmental Plan 2022. The proposed development forms part of a development application and therefore vegetation clearing associated with the development is assessed as part of the development consent process.

The proposal primarily involves the construction of a multi dwelling housing development on land that is already developed for residential purposes. No significant native vegetation or trees of ecological significance are proposed to be removed as part of the development.

Accordingly, the proposed development is not considered to result in any adverse impacts on biodiversity values and is consistent with the objectives of this chapter.

#### **Chapter 4 – Koala Habitat Protection**

Chapter 4 of the SEPP contains provisions relating to the identification and management of koala habitat within Metropolitan Sydney and the Central Coast region.

The subject site is located within an established residential area that has been previously developed and substantially modified. The land does not contain vegetation communities that would constitute core koala habitat, nor does the proposal involve the clearing of vegetation likely to provide koala habitat.

Accordingly, the proposed development is not expected to have any impact on koala habitat and the provisions of this chapter do not give rise to any constraints for the proposed development.

#### **Other Chapters**

The remaining provisions of the Biodiversity and Conservation SEPP, including those relating to riverine land, bushland in urban areas, canal estate development and regional environmental plans, do not apply to the subject site due to its location and the nature of the proposed development.

#### **4.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021**

The State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) contains provisions relating to coastal management, land contamination and other environmental hazards that may affect development in New South Wales.

#### **Chapter 2 – Coastal Management**

Chapter 2 of the SEPP contains provisions relating to the management and protection of the coastal environment. These provisions aim to promote the sustainable use of coastal land while protecting coastal environmental values, scenic qualities and public access to coastal areas.

The subject site is located outside of the Coastal Use mapped area and is therefore not subject to Chapter 2.

#### **Chapter 4 – Remediation of Land**

Chapter 4 of the SEPP contains provisions relating to the remediation of contaminated land.

Pursuant to Clause 4.6, a consent authority must not grant consent to the carrying out of development on land unless it has considered whether the land is contaminated. If the land is contaminated, the consent authority must be satisfied that the land is suitable in its contaminated state, or will be made suitable after remediation, for the purpose for which the development is proposed to be carried out.

The subject site has historically been used for residential purposes and is currently occupied by existing dwellings and associated residential structures. There is no evidence to suggest that the land has been used for activities that would give rise to contamination, nor is there any known history of contaminating land uses on the site.

Having regard to the existing residential use of the site and the absence of any known contaminating activities, the land is considered to be suitable for the proposed residential development. Accordingly, the proposed development is consistent with the requirements of Chapter 4 of the SEPP (Resilience and Hazards) 2021.

Should any evidence of contamination be encountered during site works, appropriate remediation measures will be undertaken in accordance with the relevant legislation and guidelines.

#### **4.2.2 State Environmental Planning Policy (Transport And Infrastructure) 2021**

The State Environmental Planning Policy (Transport and Infrastructure) 2021 contains provisions relating to development that may impact transport infrastructure, including classified roads, rail corridors and other transport-related land.

In accordance with Clause 2.121 of the SEPP, the consent authority must give written notice of a development application to Transport for NSW (TfNSW) where development is identified in the Table to Schedule 3 of the SEPP and may impact classified roads or other transport infrastructure.

The subject site is located on Winifred Avenue, which is not a classified road, and the proposed development comprises the construction of a multi dwelling housing development within an established residential area. The scale and nature of the development do not trigger any of the referral requirements identified within Schedule 3 of the SEPP.

Accordingly, the proposed development does not require referral to Transport for NSW and the provisions of the Transport and Infrastructure SEPP 2021 do not impose any additional requirements for the development.



#### 4.2.3 Central Coast Local Environmental Plan 2022

Central Coast Local Environmental Plan 2022 is the applicable local planning instrument for the site. The table below provides a summary of the key development standards that apply to the site under the LEP.

| Control | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Comment                                                                                                                                             |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Zone    | <p>The site is zoned R1</p> <p>Permitted with Consent:</p> <p>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Sewage reticulation systems; Shop top housing; Signage; Tank-based aquaculture; Water recycling facilities; Water reticulation systems; Water storage facilities</p> | <p>The R1 zone permits a range of residential and compatible land uses with development consent, including multi dwelling housing developments.</p> |

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zone Objectives         | <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community.</li> <li>• To provide for a variety of housing types and densities.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To promote best practice in the design of multi dwelling housing and other similar types of development.</li> <li>• To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.</li> </ul> | The proposed development complies with the objectives of the zone with the proposed works being the construction of a new 3 unit multi dwelling housing development.                                                                                                                                                                                                                                                                                                           |
| 4.3 Height of Buildings | Maximum height of 8.5m                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The proposed development complies with the development standard with the new building works having a height of less than 8.5m as shown on the elevation plans.                                                                                                                                                                                                                                                                                                                 |
| 4.4 Floor Space Ratio   | FSR of 0.5:1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The proposed development has a floor space ratio of approximately 0.499:1.</p> <p>This is consistent with the applicable density controls and is reflective of the desired built form outcomes for development within the zone.</p>                                                                                                                                                                                                                                         |
| 7.1 Acid sulfate soils  | Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.                                                                                                                                                                                                                                                                                                                                                      | <p>The subject site is identified as being located within an Acid Sulfate Soils Class 4 area. Class 4 land has the potential to contain acid sulfate soils that may be affected by works involving excavation below 2 metre above the natural ground surface or by works that lower the water table.</p> <p>The proposed development comprises the construction of a 3 unit multi dwelling housing development on land that is already developed for residential purposes.</p> |

|                             |                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             |                                                                                                                                                                                                                                                       | <p>The development is not expected to involve significant excavation works below the thresholds identified in Clause 7.1.</p> <p>Accordingly, the proposed development is unlikely to disturb potential acid sulfate soils. Should excavation works encounter potential acid sulfate soils during construction, appropriate management measures will be implemented in accordance with relevant guidelines and regulatory requirements.</p>                                                                                                                                                                                                                                                 |
| Clause 7.3 – Flood Planning | Clause 7.3 of the Central Coast Local Environmental Plan 2022 applies to land identified as flood prone land. The clause seeks to minimise flood risk to life and property while ensuring that development does not adversely affect flood behaviour. | <p>The site is identified within the Woy Woy Flood Risk Management Study &amp; Plan 2023. The mapping indicates that the site is not affected by the 1% Annual Exceedance Probability (AEP) flood event. The Probable Maximum Flood (PMF) level for the site is identified as RL 5.40m Australian Height Datum (AHD).</p> <p>The proposed development provides finished floor levels of RL 5.90m AHD, which is 0.5m above the identified PMF level associated with the current Woy Woy Flood Risk Management Study &amp; Plan 2023. Accordingly, the proposed development is considered to provide an appropriate response to the flood planning considerations applicable to the site.</p> |

#### 4.2.4 Central Coast Development Control Plan 2022

*Central Coast Development Control Plan 2022* (DCP) applies to the site and outlines specific development requirements for residential development. The provisions of the DCPs must be considered in the assessment of the proposed development. The table below provides an assessment of the development against the relevant provisions of the DCP.

| Development Control                                          | Compliance |
|--------------------------------------------------------------|------------|
| <b>CHAPTER 2.2 DUAL OCCUPANCY AND MULTI DWELLING HOUSING</b> |            |
| <b>2.2.2. SITE AND CONTEXT ANALYSIS</b>                      |            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>2.2.2.1 Site and Local Context Analysis</b></p> <p>To encourage design that results from an analysis of the site and local character and capacity, and its suitability for the proposed development</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>The proposed development application provides a site analysis plan as part of the architectural plans.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>2.2.3 BUILDING SCALE</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>2.2.3.1 Height</b></p> <p>a Central Coast LEP 2022 contains a Height of Building Map for certain areas within the Local Government Area (LGA). In accordance with Clause 4.3 (2) of Central Coast LEP 2022, the height of a building in these areas is not to exceed the maximum height indicated on this map except as provided for by Central Coast LEP 2022 Clause 5.6-Architectural Roof Features.</p> <p>b The maximum building height for dwellings in areas not specifically mapped by the Central Coast LEP 2022 is 10m.</p> <p>c Building Height for development proposals under this chapter shall generally not exceed two storeys in height. Three storey development will generally only be supported on steeply sloping sites, where the three-storey component extends for only a small section of the development.</p> | <p>Central Coast Local Environmental Plan 2022 contains a Height of Buildings Map which establishes the maximum permitted building height for land within the Local Government Area. In accordance with Clause 4.3 of the Central Coast LEP 2022, development must not exceed the maximum building height shown on the Height of Buildings Map.</p> <p>The subject site is identified as having a maximum building height of 8.5 metres under the Height of Buildings Map. The proposed multi dwelling housing development will not exceed the maximum permissible building height of 8.5 metres and therefore complies with the requirements of Clause 4.3 of the Central Coast LEP 2022.</p> <p>The proposal is also consistent with the provisions of Chapter 2.2 of the Central Coast Development Control Plan 2022, which generally limits residential development to two storeys in height. The proposed development does not exceed two storeys and is therefore consistent with the applicable height controls for the site.</p> |
| <p><b>2.2.4 BUILDING DENSITY</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>2.2.4.1 Lot Size Requirements</b></p> <p>a Central Coast LEP 2022 specifies the minimum lot sizes for dual occupancy development.</p> <p>b For sites where the dual occupancy development is configured in a front and rear or “battle-axe” style, the minimum area of the lot must be:</p> <p>i 1000 m<sup>2</sup> on sites with a slope from 15 to</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>The subject site at 7 Winifred Avenue, Umina Beach has an area of approximately 739.80m<sup>2</sup>. The proposed development involves the demolition of the existing development and the construction of a three-unit multi dwelling housing development.</p> <p>The site is not identified as a battle-axe</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>20%,<br/>ii 1200m<sup>2</sup> on sites with a slope greater than 20% and less than 25%,<br/>c dual occupancy development is unlikely to be supported on sites with a slope of 25% or more.<br/>d Where a dual occupancy development is proposed on an existing battle-axe allotment, the existing lot is to have a minimum area of 800 m<sup>2</sup> excluding the area of the access handle. On sloping sites the provisions of s. 2.2.4.1 b above apply.</p>                                        | <p>allotment and does not comprise a steeply sloping site to which the additional lot size provisions of this control are primarily directed.</p> <p>The proposed development is considered capable of accommodating the scale and form of development proposed, whilst achieving suitable setbacks, landscaping, private open space, parking and residential amenity outcomes consistent with the objectives of the Central Coast Local Environmental Plan 2022 and Central Coast Development Control Plan 2022.</p>                         |
| <p><b>2.2.4.2 Floor Space Ratio</b><br/>a Central Coast LEP 2022 contains a Floor Space Ratio map and the relevant considerations for certain areas within the Central Coast LGA.<br/>b The maximum floor space ratio for development proposals subject to this Chapter that relate to land not included in the Floor Space Ratio Map of Central Coast LEP 2022 is specified in Table 2 below:<br/>Dual Occupancy and semi-detached dwellings (except in rural or environmental living zones): 0.5:1</p> | <p>The proposed development comprises an multi dwelling housing development and complies with clause 4.4 of the LEP 2022.</p>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>2.2.4.3 Site Coverage</b><br/>a For all development types that are subject to this chapter a minimum 25% of site area at ground level shall be 'soft' landscaping, excluding all hardstand areas. Private Open space areas and setback areas may be included in this calculation only where these do not include hardstand surfaces.</p>                                                                                                                                                           | <p>The proposed development complies with the minimum soft landscaping requirement applicable to the site. Following the previous refusal of the development, the design has been modified to increase the provision of landscaped area and deep soil planting zones across the site.</p> <p>The revised development provides approximately 26% soft landscaping, exceeding the minimum 25% requirement under the control. The amended design outcome provides improved opportunities for landscaping, stormwater infiltration and visual</p> |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | softening of the built form, whilst maintaining an appropriate level of residential amenity for future occupants and adjoining properties.                                                                                                                                                                                                                                                                                            |
| <p><b>2.2.5 BUILDING SETBACKS</b></p> <p>For all development proposed under this chapter the following setbacks shall apply:</p> <p><b>Front setbacks</b></p> <p>Local roads: The average distance of the front setbacks of the nearest 2 dwelling houses having the same primary road boundary and located within 40m of the lot on which the dwelling house is erected, or if 2 dwelling houses are not located within 40m of the lot - 4.5m</p> <p><b>Side setbacks</b></p> <p>i for any part of the building with a height of up to 4.5m—0.9m, and</p> <p>ii 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</p> <p><b>Rear setbacks</b></p> <p>To a parallel road or public reserve-3.0m</p>                                                                                                                                     | <p><b>Front setback</b></p> <p>The proposal is consistent with the established streetscape rhythm and satisfies the intent of the control.</p> <p><b>Side setbacks</b></p> <p>The proposed development provides minimum side setbacks of 1.3m at ground floor level and at first floor level.</p> <p><b>Rear setback</b></p> <p>The rear setback has been adjusted to provide a 4.5m rear setback in accordance with the control.</p> |
| <p><b>2.2.6 BUILT FORM &amp; ARTICULATION</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>2.2.6.1 Facades &amp; Articulation</b></p> <p>a Facades are to be articulated in length and height. Unbroken lengths of wall exceeding 10 metres in length and 3 metres in height shall not be provided. In development of two or more storeys, physical design elements shall be used to provide visual interest to the building. These elements may include roof, wall and eave projections and indentations roofed decks, pergolas, awnings and other permanent shading structures, etc. A mixture of building materials including masonry, timber and glass is encouraged.</p> <p>b Garage prominence is to be minimised:</p> <p>i For multi-dwelling housing or attached dwellings garages are to be located behind the front setback of the building so as not to visually dominate the streetscape. Garages which are visible from the street shall not exceed 50% of the lineal frontage of the</p> | <p>The proposed development has been designed to incorporate a high level of articulation in both horizontal and vertical planes, ensuring that the building does not present as a continuous or monolithic form.</p> <p><b>Garage Prominence</b></p> <p>The proposed development has been designed to minimise the visual prominence of garages, with the garages located behind the front building line.</p>                        |

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| <p>building, must respect the architectural qualities of the building and integrate with the overall presentation of the development.</p> <p>ii For dual occupancy development or semi-detached dwellings, the total width of all garage doors openings when within 7.5m and facing a primary road or parallel road must not exceed:<br/>6m if:</p> <ul style="list-style-type: none"> <li>▪ the lot has a width measured at the building line of 12m or less, or</li> <li>▪ 6m, or 60% of the width of the building (whichever is the greater) if the lot has a width measured at the building line of more than 12m.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>2.2.6.2 Roof Elements</b></p> <p>a Roof design is to respond to the orientation of the site. For example by using eaves and skillion roofs to respond to solar access.</p> <p>b Roof top gardens, terraces, decks and enclosures shall be suitably set back from the building edge to maintain the privacy of adjoining sites.</p> <p>c Minimise the impact of service elements by integrating them into the design of the roof.</p>                                                                                                                                                                                        | <p>The proposed development complies with the control.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>2.2.6.3 Residential Address</b></p> <p>a For all dwellings located at the front of each development ensure that the street can be seen from windows of regularly occupied rooms, as well as from upper-storey balconies and private terraces or courtyards at ground level.</p> <p>b Above-ground parking carports and fully-enclosed garages must not be located within any façade facing a street, a park or major communal open space, where they would block desired sight lines.</p> <p>c Street number and building access to be easily identified from the street.</p>                                               | <p>The proposed development has been designed to provide an active and legible interface to Winifred Avenue, with windows to regularly occupied rooms oriented toward the street to facilitate passive surveillance and visual connection with the public domain.</p> <p>The proposed front fence incorporates an architectural design treatment that provides a prominent and visually cohesive presentation to the street whilst clearly identifying pedestrian access and the street address. The design outcome contributes positively to the streetscape character and reinforces the residential presentation of the development.</p> |
| <p><b>2.2.6.4 Design Integration</b></p> <p>a Where existing buildings are to be retained as part of an overall proposal, they shall be</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>The proposed development involves the demolition of the existing dwelling and ancillary structures and does not retain</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| <p>sufficiently upgraded to integrate with the new development. The integration of old and new shall be carefully considered in terms of:</p> <ul style="list-style-type: none"> <li>i architectural features and form;</li> <li>ii roof form;</li> <li>iii external building materials colours and finishes;</li> <li>iv Location and orientation; and</li> <li>v Dwelling curtilage.</li> </ul> <p>Details of how the proposed development responds to these items are to be included in the Statement of Environmental Effects.</p> <p>b Development proposals which incorporate existing buildings shall be accompanied by a floor plan and elevations of the existing building, as well as a schedule of externals colours and materials for the development.</p>                                                                                                                                                                                                                                                                                                               | <p>any existing buildings on site.</p> <p>Accordingly, the provisions of this control relating to the integration of new and existing built form are not applicable in this instance.</p> <p>Notwithstanding this, the proposed development has been designed as a cohesive and integrated architectural outcome, with consistent materials, roof form, and building articulation across the dwellings.</p>                                                                                                                                                                                                                                                                                                                          |
| <p><b>2.2.7 RESIDENTIAL AMENITY</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>2.2.7.1 Views</b></p> <p>a Development is to be sited and designed to enable a sharing of views with surrounding private properties, particularly from habitable rooms.</p> <p>b The design of the roof form is to provide for view sharing. This may be achieved by consideration of the roof pitch and type (including flat roofs), increasing the setback on an upper level or by lowering the proposal in whole or in part.</p> <p>c Applicants shall demonstrate that buildings have been designed ‘from the ground up’, with floors located at or near to natural ground level and incorporating reasonable ceiling heights and roof pitch.</p> <p>d A visual analysis illustrating the impacts of the proposed development upon views may be required for developments which have the potential to obstruct views. The analysis will be required to outline the impact of the development on the views of all affected properties.</p> <p>e Where there is a potential loss of view for nearby properties, applications are to address the NSW Land and Environment</p> | <p>The proposed development has been designed having regard to the potential for view sharing with surrounding properties.</p> <p>The building form adopts a two-storey scale with a compliant height and articulated roof design, ensuring that any potential impacts on views are minimised. The dwellings have been designed with appropriate setbacks and a balanced roof form, which assists in reducing bulk and maintaining reasonable view corridors where available.</p> <p>In this regard, the proposal is consistent with the planning principles established in <i>Tenacity Consulting v Warringah Council</i>, which recognises that view sharing, rather than view retention, is the appropriate planning outcome.</p> |



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| <p>Court Planning Principles relating to view sharing.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>2.2.7.2 Privacy</b><br/> <b>2.2.7.2.1 Visual Privacy</b><br/> a Direct overlooking of internal living areas and private open space and from surrounding dwellings must be minimised by building layout, location and design of windows and balconies, screening devices and landscaping.<br/> b Where living area windows or balconies of dwellings are proposed within 12 metres of and facing living area windows or balconies of adjacent dwellings, windows should offset from the edge of the opposite window and balconies be screened or oriented to ensure visual privacy.</p> <p>Window openings at first floor level and above should be orientated or designed to minimise the potential for overlooking of adjacent properties and this consequent loss of privacy.<br/> Windows which are orientated towards adjoining properties and do not adequately restrict overlooking will be required to be opaque finish or located at appropriate heights above floor level to minimise overlooking of adjoining properties.</p> <p><b>2.2.7.2.2 Acoustic Privacy</b><br/> a Site layout should separate active recreational areas, parking areas, vehicle access ways and service equipment areas from bedroom areas of dwellings.<br/> b Development adjacent to potential sources of high levels of external noise shall minimise the entry of that noise through building design window placement, noise attenuation measures and external wall treatment.</p> | <p><b>Visual Privacy</b><br/> The proposed development has been designed to minimise overlooking and maintain appropriate levels of visual privacy for both the subject site and adjoining properties.</p> <p><b>Acoustic Privacy</b><br/> The site layout has been designed to provide appropriate acoustic separation between active and passive areas.</p> <p>Given the residential context and scale of the development, the proposal is not expected to generate any unreasonable noise impacts, nor is it subject to any significant external noise sources requiring additional attenuation.</p> |
| <p><b>2.2.7.3 Private Open Space Areas</b><br/> a Private open space for each dwelling is to</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Each dwelling is provided with a compliant area of private open space</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| <p>have with a minimum area of 45 square metres and a minimum dimension of 4.5 metres. These areas are required to be generally located at ground level, directly accessible from a living area within the dwelling.</p> <p>b Required private courtyards shall not exceed a maximum grade of 1:14 to optimise useability for residents.</p> <p>c Wherever a dimension is less than the required minimum width (i.e. 2 metres for balconies or 4.5 metres for courtyards) it shall not be counted as part of the calculation for private open space areas.</p> <p>d Required ground level private open space may be provided in up to two locations for each dwelling, subject to compliance with the minimum dimension.</p> <p>e Ground level courtyards are not permitted within the front building setback area fronting local roads.</p>                                                                                  | <p>located at ground level and directly accessible from the main living areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>2.2.7.5 Sunlight Access</b></p> <p>a On June 21, 50% of the required principal private open space area for all dwellings should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm.</p> <p>b Dwellings should be orientated to allow optimum solar access for internal living areas.</p> <p>c On June 21, 50% of the required principal private open space on adjoining land should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm. Any proposed variation to this provision must demonstrate:</p> <p>i the proposed development complies with the building height and building setback requirements of this chapter</p> <p>ii the proposal adequately considers site constraints including slope and site orientation</p> <p>iii that the adjoining development has not sufficiently considered likely future development and site constraints such as lot</p> | <p>The development is located on a lot that is noted to be difficult to achieve compliance with the development control due to the orientation of the lot. The POS and main areas of internal entertainment and amenity have been designed to capture passive sunlight. It is considered that the design of the ground floor allows a more compliant solar access for the living areas. It is considered that the design of the development is considered acceptable on merit considering the site orientation and width.</p> |

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| <p>orientation in the location of private open space.</p> <p>d Developments that are 2 or more storeys in height or greater shall provide shadow diagrams based on a survey of the site and adjoining development, showing shadow casting at 9 am, 12 noon and 3 pm on June 21 (winter solstice). The shadow diagrams must show the impact of shadowing from the proposed development, fencing, cut and fill as well as existing development, on the proposed development and adjoining properties.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>2.2.8 PARKING AND ACCESS</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>2.2.8.1 Car Parking</b></p> <p>a Car parking within setbacks to classified roads shall not be permitted.</p> <p>b Where parking is proposed within a side or rear building setback and is exposed to adjoining properties, suitable landscaping shall be provided along the boundary to soften the visual impact of the parking and to provide for stormwater infiltration.</p> <p>c One of the required resident car parking spaces shall be provided in the form of an enclosed space for each dwelling with minimum dimensions of 3 metres width by 5.5 metres length and a minimum opening of 2.7 metres width.</p> <p>d Consideration should be given to separate access driveways on corner allotments.</p> <p>e All car parking calculations are to be rounded up to the next whole number.</p> <p>f Resident car parking is to be provided in accordance with the parking rates identified in Chapter 2.13 Transport and Parking</p> | <p>The amended design provides a visitor parking space at the rear of the site, with the modified design removing the front visitor carparking space to provide more green space and to remove the parking element from the front setback. The amended design removes two dedicated carparking spaces but is considered a more acceptable outcome in regards to the additional landscaping, better vehicle maneuverability and improved streetscape presence of the development.</p> |
| <p><b>2.2.8.2 Access Design</b></p> <p><b>2.2.8.2.1 General Requirements</b></p> <p>a Driveways and vehicular access shall be designed in accordance with relevant Australian Standard and provisions of Council's Civil Works Specification</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The access design has been prepared having regard to relevant Australian Standards and Council's requirements, ensuring safe and functional vehicle movements. Driveway and hardstand areas will incorporate suitable materials</p>                                                                                                                                                                                                                                               |

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| <p>b Use of plain concrete for driveways and open car parking areas is not supported by Council. Details of the proposed treatment shall be provided in the development application.</p> <p>c Where appropriate, parking may be accessed from a laneway however no reliance can be given to a laneway for the purposes primary pedestrian access, waste collection and mail collection.</p> <p><b>2.2.8.2.2 Ground Level Parking</b></p> <p>a Fully enclosed garages must not visually dominate any building elevation.</p> <p>b Driveways must not be continuous straight lines and shall be offset by landscaped sections</p> <p>c A minimum pavement width of 3m is required</p> <p>d Driveways shall be offset from any side boundary by 2 metres at the front boundary and may taper back to 500mm side setback within the front building line as illustrated in Figure 1. This offset area, and side setback for the length of the remaining driveway must be landscaped with trees and shrubs to soften the hardstand areas and provide for infiltration and provide visual appeal to the streetscape.</p> | <p>and finishes consistent with Council's expectations, avoiding the use of plain concrete and providing an appropriate visual outcome.</p>                                                                                                                                                                                                                                                                                                                                                |
| <p><b>2.2.9 EARTHWORKS AND STRUCTURAL SUPPORT</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>2.2.9.1 Earthworks</b></p> <p>a Excavation for the purposes of development must not exceed a maximum depth measured from existing ground level of 1m if less than 1m from any boundary, or 3m if located more than 1m from any boundary.</p> <p>b Fill for the purpose of erecting a dwelling must not exceed 1m above existing ground level. No retaining wall for fill is to be within 1m of a side or rear boundary unless within 1.5m of any external wall of a dwelling.</p> <p>c Where a property is burdened by stormwater or water and sewerage mains then Council will generally preclude any</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>The proposed development involves minor earthworks associated with site preparation and construction of the dwellings.</p> <p>Excavation and fill are limited in extent and are designed to comply with the maximum depth and height requirements of the control. The generally level nature of the site reduces the need for significant cut or fill, and no excessive earthworks are proposed in proximity to site boundaries.</p> <p>No retaining walls associated with fill are</p> |

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| <p>excavation or filling within that easement</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>proposed within restricted boundary setbacks, and any such works will be undertaken in accordance with the requirements of the control.</p> <p>The proposal does not impact any stormwater or utility easements, and no excavation or filling is proposed within such areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>2.2.10 LANDSCAPING</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>2.2.10.1 Landscape Design - General</b><br/>a A suitably qualified landscape professional is to be engaged to undertake the design and construction of landscaping for the development is required. The landscape design is to demonstrate consideration of the following:</p> <ul style="list-style-type: none"> <li>i provision of appropriate shade from trees or structures;</li> <li>ii provision of accessible routes within the site and between buildings;</li> <li>iii screening of car parking communal drying areas, swimming pools and courtyards on ground level.</li> <li>iv the use planting, fencing and other landscape elements appropriate to the scale of the development;</li> <li>v the visually softening the bulk of large development for the person on the street;</li> <li>vi the incorporation of suitable deep soil zones;</li> <li>vii the visually softening hardstand areas associated with car parking, including paving design / unit paving and shade tree planting.</li> <li>viii the incorporation of native trees, shrubs and ground covers endemic to the area;</li> <li>ix the retention and incorporation of changes of level, visual markers, views and any significant site elements;</li> <li>x the retention of existing vegetation on site.</li> </ul> | <p>A landscape plan has been prepared for the proposed development, demonstrating an appropriate and coordinated approach to site landscaping.</p> <p>The design incorporates planting and landscape elements that are consistent with the scale and character of the development, including the provision of soft landscaping, deep soil areas, and appropriate species selection. Landscaping is utilised to soften built form, enhance the streetscape, and provide screening to private open space areas and site boundaries.</p> <p>Opportunities for shade planting are incorporated, and accessible pathways are provided between the street frontage and each dwelling. Hardstand areas associated with vehicle access and parking are appropriately treated and softened through landscaping.</p> <p>The landscape design also considers the use of suitable plant species, including native vegetation where appropriate, to ensure a cohesive and sustainable outcome.</p> |
| <p><b>2.2.10.3 Deep Soil</b><br/>a A minimum 50% of the required soft landscaped area of the site at ground level shall be a deep soil zone. This may be achieved by optimising the retention</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>The proposed development provides adequate deep soil areas within the site, primarily located within the rear and side setbacks.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| <p>provision of consolidated deep soil zones within a site by:</p> <ul style="list-style-type: none"> <li>i the design of any basement and sub-basement car parking, so as not to fully cover the site;</li> <li>ii the use of setbacks for deep soil planting. Planting should be selected and located to minimise negative impacts on adjoining properties.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>The design ensures that a substantial proportion of the required soft landscaped area is capable of accommodating deep soil planting, enabling the establishment of trees and meaningful vegetation. The absence of basement construction allows for continuous and consolidated deep soil zones across the site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>2.2.11 BUILDING SERVICES</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>2.2.11.1 Services - General</b></p> <ul style="list-style-type: none"> <li>a All sites shall be provided with adequate water and sewer services, as well as telecommunications and power.</li> <li>b All applications shall provide details of the proposed method of sewerage disposal from the site. For all forms of residential development the preferred method is gravity-fed connection to the reticulated sewer system.</li> <li>c All applications shall provide details of potential impacts on existing services, for example nearby drainage, water or sewer lines.</li> <li>d All external attachments should be fully integrated with the façade design e.g.: stormwater downpipes, meter boxes and other services.</li> <li>e Site services and facilities (such as letterboxes and drying yards) should be designed: <ul style="list-style-type: none"> <li>i to enable safe and convenient access by residents;</li> <li>ii in an aesthetically sensitive way;</li> <li>iii to have regard to the amenity of adjoining developments and streetscape;</li> <li>iv to require minimal maintenance; and</li> <li>v to be visually integrated with the development.</li> <li>vi be accessible for postal deliveries</li> </ul> </li> </ul> | <p>The proposed development will be connected to all essential services, including water, sewer, electricity and telecommunications, in accordance with relevant authority requirements.</p> <p>Sewer infrastructure will be provided via connection to the existing reticulated system, with details to be confirmed at the construction stage. The development is not expected to adversely impact existing services, and any required upgrades or adjustments will be undertaken in consultation with the relevant service authorities.</p> <p>Stormwater drainage and associated services will be integrated into the design of the development, with elements such as downpipes and meter boxes incorporated within the building façade to minimise visual impact.</p> <p>Site facilities, including letterboxes and service areas, are located to ensure safe and convenient access for residents and service providers, while being appropriately integrated into the overall design to maintain streetscape amenity.</p> |
| <p><b>2.2.11.3 Stormwater Management</b></p> <ul style="list-style-type: none"> <li>a All proposed development is to comply with Council's Civil Works Specification</li> <li>b A stormwater management plan is to be submitted with the development application,</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>A stormwater management plan has been prepared and submitted with the development application in accordance with Council's Civil Works Specification.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| <p>incorporating one of the following:</p> <ul style="list-style-type: none"> <li>i the provision of on-site stormwater detention with delayed release into the stormwater system;</li> <li>or</li> <li>ii site design to minimise impervious areas and maximise on-site infiltration so increased run-off does not reach the stormwater system; or</li> <li>iii a combination of both. Due consideration will be given to the location of the development and the impacts a detention system will have on the catchment drainage.</li> </ul> <p>c Site works are not to obstruct or divert overland flows from upstream properties.</p> <p>d All excess stormwater runoff from roof and paved areas shall be directed via gravity fed systems into inter-allotment or street stormwater drainage system. Charged systems will not be accepted.</p> <p>e Where easements over downstream properties are required, evidence of agreement with the relevant property owners is to be submitted with the development application.</p> | <p>The proposed development incorporates appropriate stormwater management measures, including on-site detention and/or infiltration strategies to ensure that post-development runoff does not exceed pre-development conditions. The stormwater details have considered the flooding impacts of the site. The design minimises impervious surfaces where practicable and promotes on-site absorption.</p> <p>All stormwater will be directed via gravity-fed systems to the lawful point of discharge, with no reliance on charged systems. The development will not obstruct or alter any existing overland flow paths.</p> |
| <p><b>2.2.11.4 Garbage and Waste Services</b></p> <ul style="list-style-type: none"> <li>a All proposed development is to comply with Chapter 2.14: Site Waste Management.</li> <li>b Waste management systems for residential development are to be provided in accordance with Council's Waste Control Guidelines. Details of waste recycling arrangements must also be included in the Waste Management Plan.</li> <li>c Where it is proposed that bins are to be located in a common area, developments are to include the design and construction of a suitably screened bin storage area that integrates with the overall development and landscape plan. Where bins need to be wheeled or conveyed from the storage point to the collection point, consideration should be given to the slope and its impact on manual handling or motorised handling requirements.</li> </ul>                                                                                                                                              | <p>A Waste Management Plan has been prepared and submitted with the development application, detailing waste storage, handling and disposal arrangements, including recycling provisions.</p> <p>Each dwelling is provided with an appropriate on-site waste storage area that is conveniently located, accessible, and integrated within the overall site design. Bin storage areas are screened to minimise visual impact and do not detract from the streetscape.</p>                                                                                                                                                       |

### 2.13 Transport and Parking

Parking required for multi dwelling housing:

1.5 spaces per dwelling

Visitor spaces of 0.2 spaces per dwelling

Pursuant to Chapter 2.13 of the Central Coast Development Control Plan 2022, multi dwelling housing is required to provide resident parking at a rate of 1.5 spaces per dwelling together with visitor parking at a rate of 0.2 spaces per dwelling, with the total rounded up to the nearest whole number.

For the proposed development comprising three (3) dwellings, the DCP generates a requirement for:

Resident parking:  $3 \text{ dwellings} \times 1.5 \text{ spaces} = 4.5 \text{ spaces}$

Visitor parking:  $3 \text{ dwellings} \times 0.2 \text{ spaces} = 0.6 \text{ spaces (rounded up to 1 space)}$

Accordingly, the DCP requires a total of five (5) parking spaces.

The proposal provides one secure on-site parking space for each dwelling together with one dedicated visitor parking space, resulting in a total provision of four (4) spaces. The proposal is therefore numerically deficient by one resident parking space when compared with the DCP requirement. While the DCP calculation results in a fractional parking demand, the practical effect is that the proposal provides one parking space for each dwelling plus a dedicated visitor space, with the shortfall arising from the application of the additional 0.5 resident parking space per dwelling required for multi dwelling housing.

Notwithstanding this variation, it is considered that the proposal satisfies the underlying objectives of the DCP for the following reasons:

- Each dwelling comprises three bedrooms and provides a functional single garage. The level of parking

provided is consistent with the parking rate that applies to a three-bedroom dwelling house elsewhere within the DCP, demonstrating that one parking space is generally considered sufficient to meet the parking demand generated by a dwelling of this size.

- The development comprises only three dwellings and is not of a scale that is anticipated to generate significant parking demand beyond that ordinarily associated with detached housing.
- A dedicated visitor parking space is provided on-site, ensuring that short-term visitor parking can generally be accommodated without reliance on the public road network.
- Winifred Avenue is a local residential street where unrestricted on-street parking is available. The surrounding road network is capable of accommodating occasional overflow parking associated with residents or visitors without adversely affecting traffic safety, vehicle circulation or residential amenity.
- The proposal does not introduce any commercial or mixed-use component that would generate parking demand beyond normal residential activity.

Overall, while the proposal does not achieve strict numerical compliance with the DCP parking rate, the variation is modest and is not expected to result in unacceptable parking impacts. The proposal provides an appropriate balance between on-site parking provision, built form outcomes and residential amenity, and is considered to satisfy the objectives of Chapter 2.13 of the Central Coast Development Control Plan 2022.

## 5 Environmental Assessment

### 5.1 Aboriginal Archaeology

The requirement for an Aboriginal Heritage Impact Assessment (AHIA) is based on Part 2 of the NPWS Guidelines for Aboriginal Heritage Impact Assessments. Part 2 states that an AHIA is generally not required where:

- a) The proposed development is on land previously subject to intensive ground disturbance and the development will impact only on the area subject to the previous disturbance;*
- b) The impact of the proposed activity is unlikely to cause any additional damage to Aboriginal objects than that which has already occurred; and*
- c) The proposed development is in an area that has been identified in strategic planning, rezoning or other assessment studies as having low Aboriginal heritage potential.*

Based on the abovementioned points it is noted that the proposed development, as amended, is not likely to cause any damage to Aboriginal objects as the development is located within an existing residential site.

### 5.2 Context And Setting

The proposed development has demonstrated consistency of the surrounding locality through the environmental planning regulations and site features informing the overall development design. It has also shown to be consistent with the surroundings through its consistency with the existing development within the surrounding area.

### 5.3 Public Domain

The proposed development will not have an impact on any public domain.

### 5.4 Social And Economic Impact

The proposed development should have no negative social or economic impact on the area. The proposal will enable the continued use of the site for its intended purpose as residential, whilst preserving the visual character of the site and area. The redesign of the development is considered an appropriate outcome for the site with minimal impacts on the amenity of adjoining properties.

### 5.5 Ecologically Sustainable Development

The principles of ecologically sustainable development (ESD) have been considered in preparing this SoEE and the plans. The Environmental Planning and Assessment Regulation 2021 notes that ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. The principles of ESD have been considered in the preparation of this SoEE and development redesign. The proposed development is considered to be able to comply with the ESD objectives for the site.

### 5.6 Suitability Of The Site

The proposed development is considered to be suitable on the site for the following reasons:

- The proposal is consistent with the zone objectives;
- The proposal is consistent with the relevant LEP and DCP controls;
- The proposal is capable of managing competing land uses;
- The proposal will not result in any adverse impacts on the environment; and
- There are no environmental constraints on or around the site of such significance as to preclude the proposal.

## 5.7 The Public Interest

The proposed development is considered in the public interest, providing housing diversity for the area.

## 6 Conclusion

This Statement of Environmental Effects comprehensively demonstrates that the proposed development is an appropriate and suitable development when tested against the relevant heads of consideration detailed within the section 4.15(C) of the *Environmental Planning & Assessment Act, 1979*.

This report has identified all key issues associated with the proposal and demonstrated that the proposal can be developed appropriately with respect to these issues. The proposal is consistent with the zone objectives and other planning provisions and will make a positive contribution to the area.

The proposal is considered acceptable and should be approved because:

- The site is suitable for the proposal;
- The SoEE has identified all constraints associated with the land and demonstrated that the proposal can be undertaken whilst effectively minimising these constraints;
- The proposal will generate positive social and economic impacts;
- The proposal will generate only negligible environmental impacts; and
- The proposal is within the public interest.

The proposal has been assessed in accordance with S.4.15 of the EP&A Act 1979. This assessment has concluded that under the zone the development is a permissible land use. The Development Control Plan has also been considered and proposal generally complies with the DCP in all respects of the controls.

This report has assessed environmental considerations of the proposal, including heritage, flooding, access, ecological considerations, waste management, stormwater runoff, Aboriginal archaeology and servicing, and has concluded that there are no likely adverse environmental impacts associated with the proposal and that infrastructure either is, or can be developed to support the proposal.