

Statement of Environmental Effects

**Proposed Retaining Wall
and Pool Cabana
Lot 22 in DP709308
No.20 Homan Close ,
Umina Beach. NSW**

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1.0 Introduction

This report is tailored to support the detailed drawings and supplementary information submitted as a development application for the proposed retaining wall and pool cabana in the City of Gosford.

This Statement of Environmental Effects addresses relevant matters under Section 4.15 of the Environmental Planning and Assessment Act; State Environmental Planning Policies; Regional Environmental Plans and Strategies; the Gosford Local Environment Plan (LEP) 2014 and any relevant Development Control Plans. Central Coast Council is the consent authority.

2.0 Site Description

The site is described as Lot 22 in DP709308, No.20 Homan Close, Umina Beach. The land has an area of 660.9 sq.m by title with a width at the building line of 18.5m and an average depth of 34.1m. The site is currently occupied by a two-storey dwelling with inground concrete pool. It's landscaped with a variety of domestically scaled garden beds and areas of lawn. The pool is retained by a degraded treat pine log wall. The land is serviced by all standard utilities including sewer, town water, electricity, and telephony.



The following diagrams describe the location, zoning and topography.

- Diagram 1 – Locality plan
- Diagram 2 – Aerial photograph
- Diagram 3 – Current zoning
- Diagram 4 – Bushfire map
- Diagram 5 – Detail Survey

Diagram 1 – Locality Map

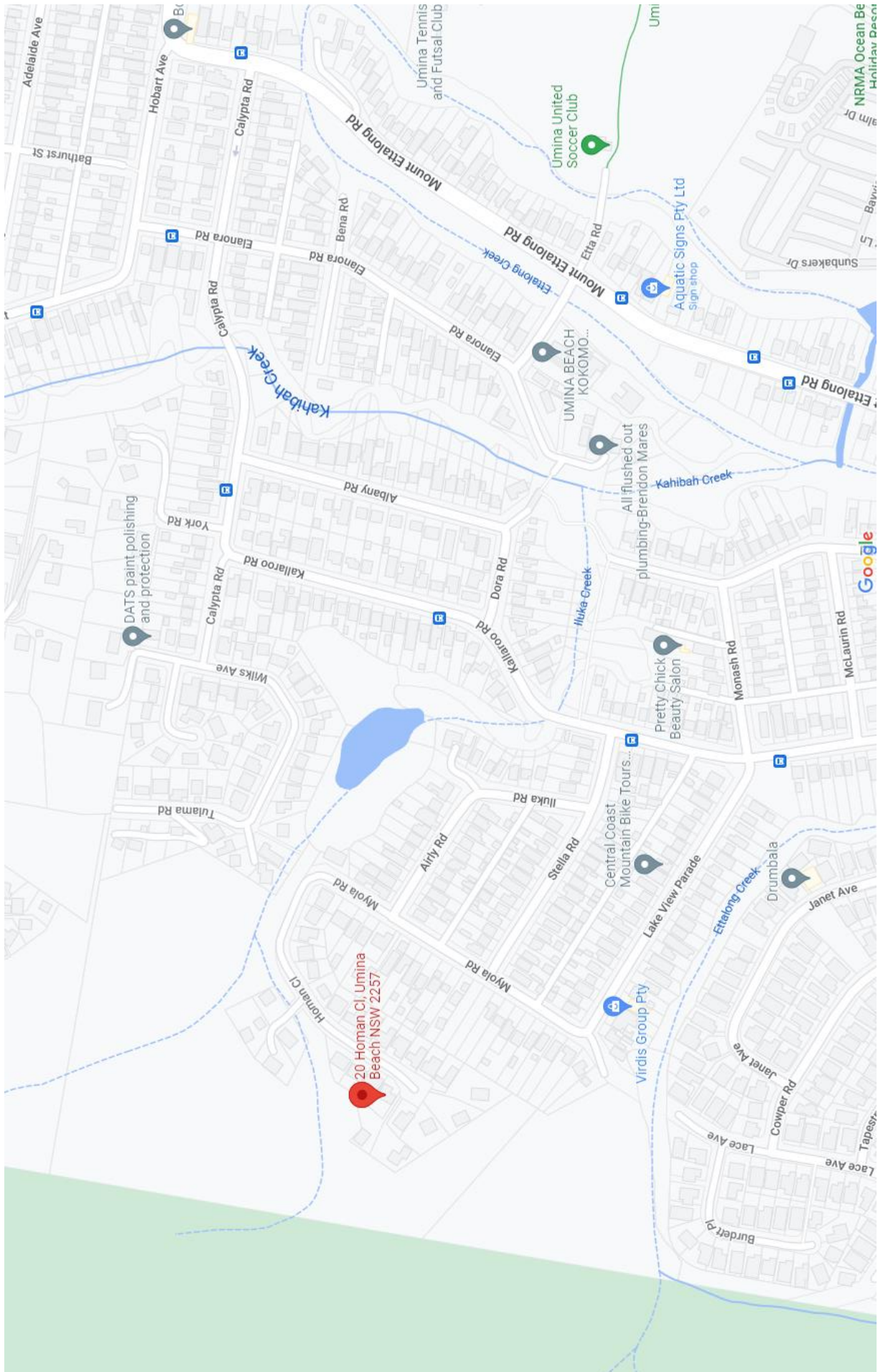


Diagram 2 – Aerial Photograph



Diagram 3 – Zone Map

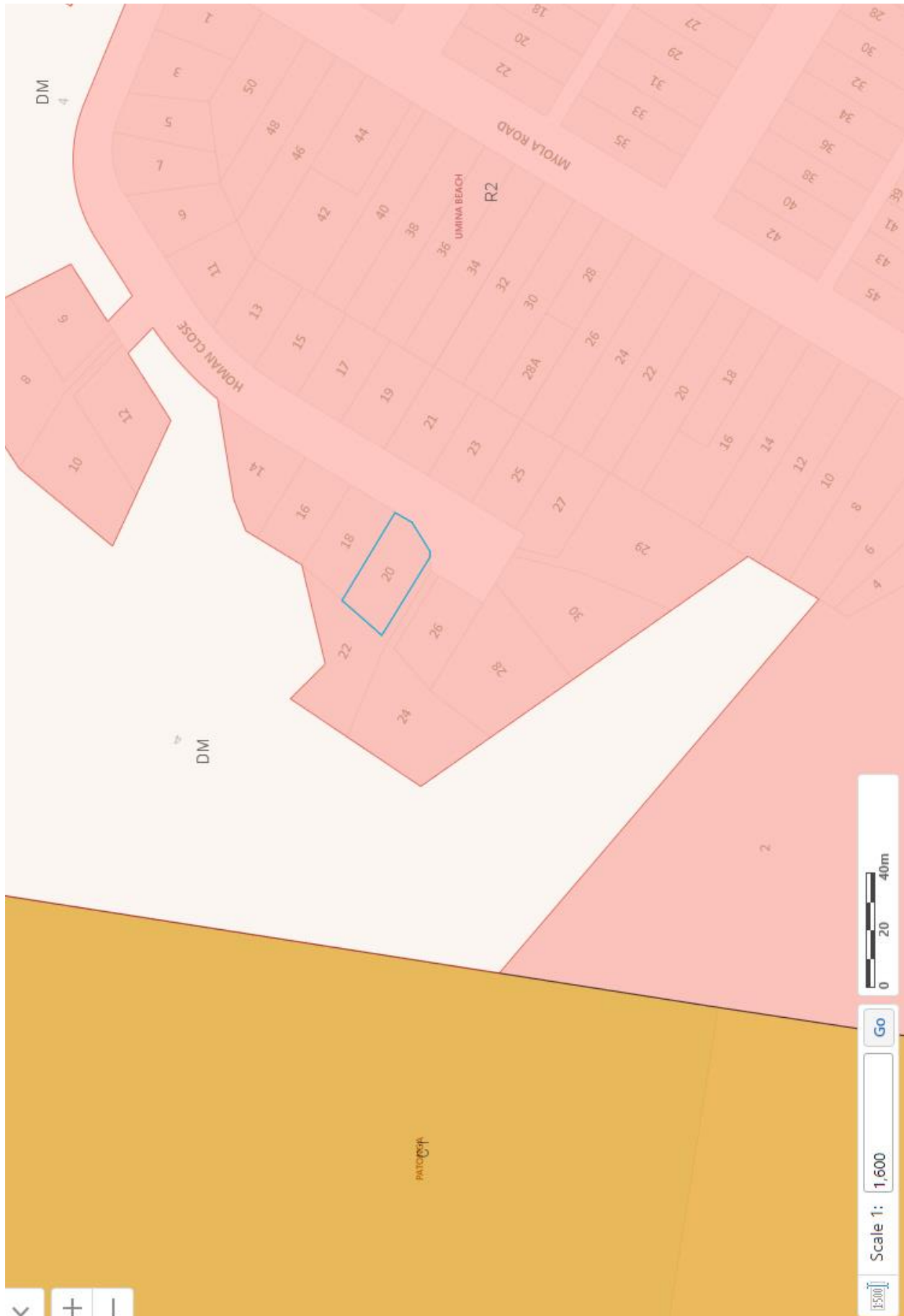


Diagram 4 – Bushfire map

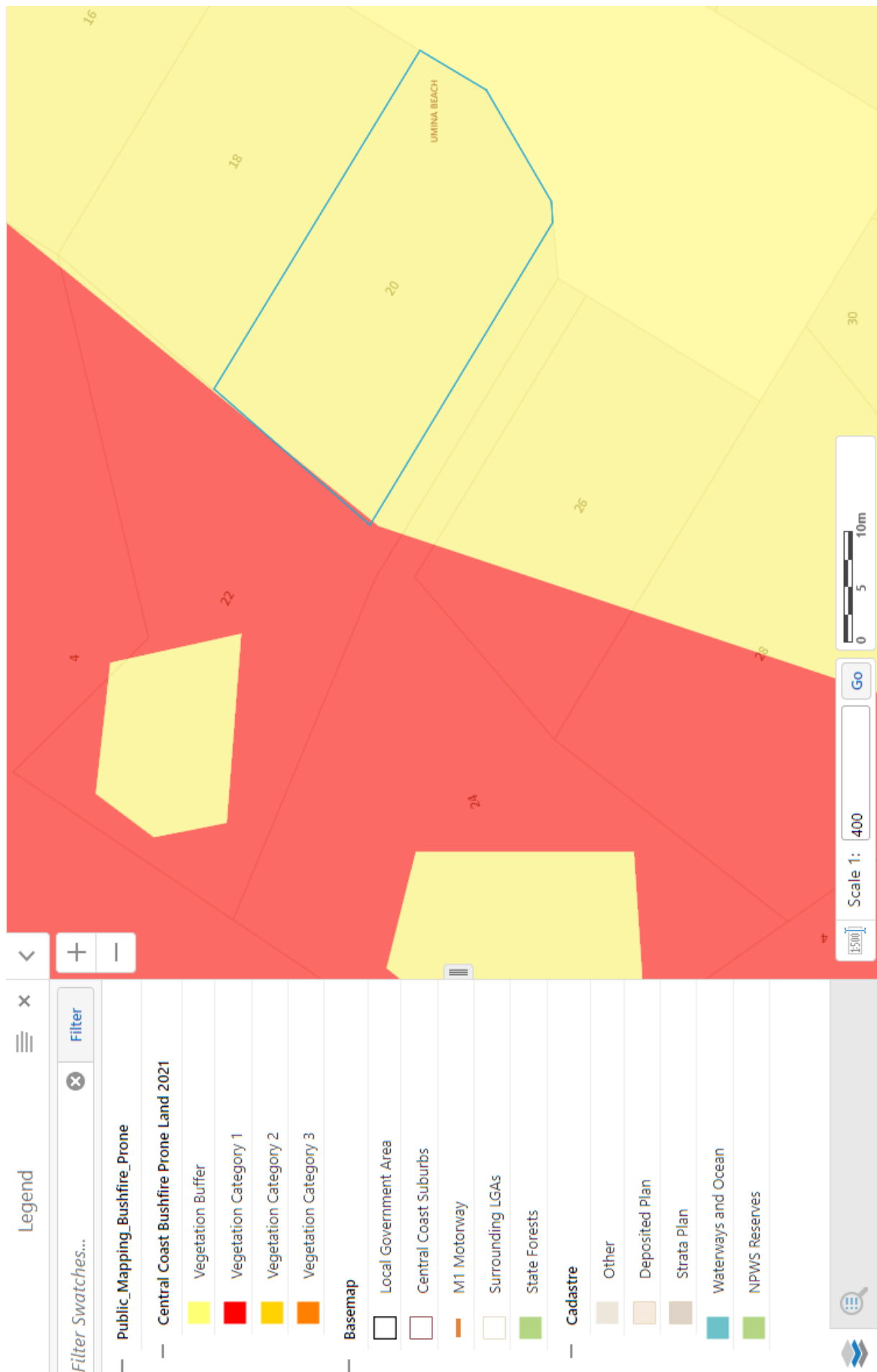
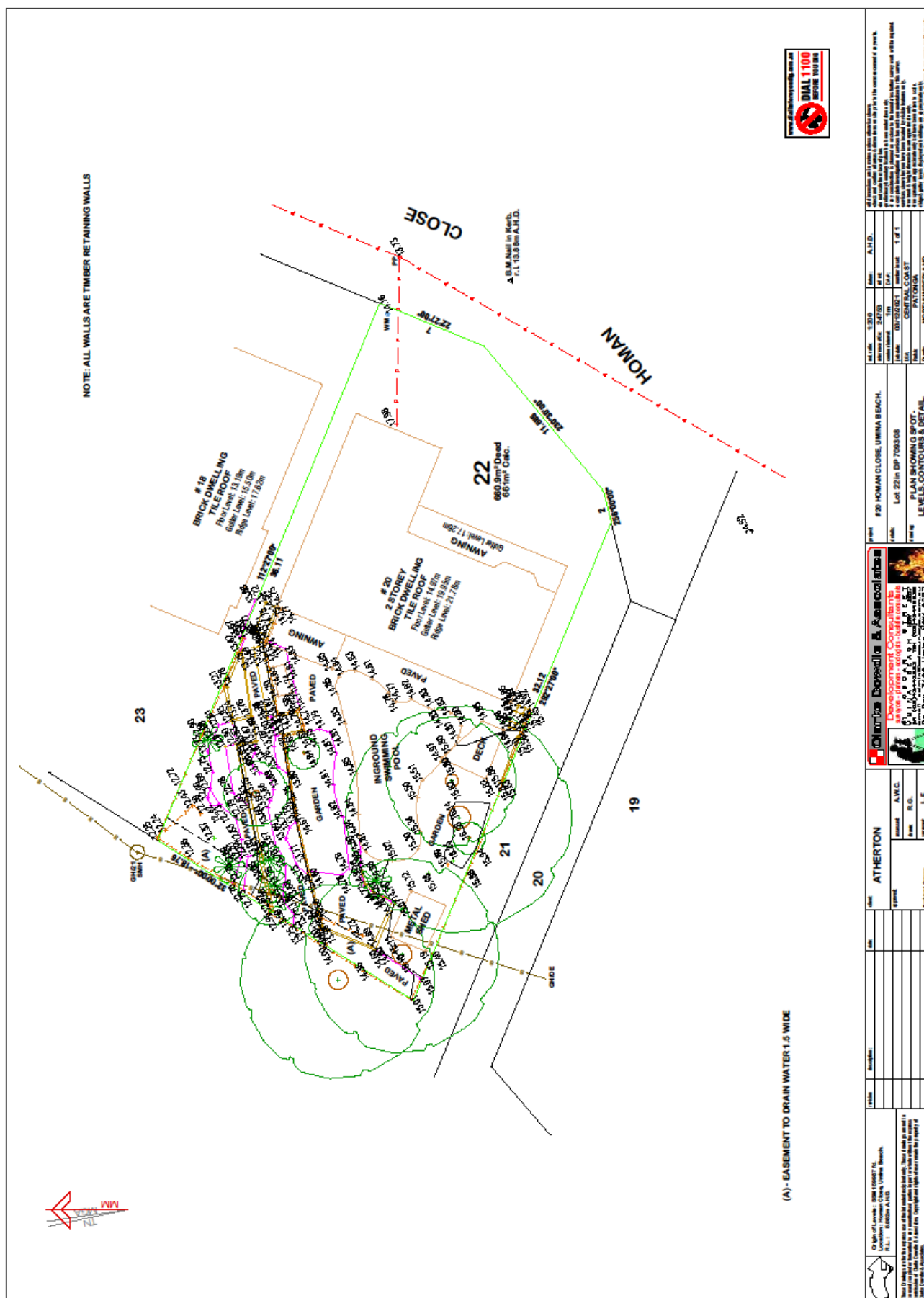


Diagram 5 – Detail survey



3.0 Development Proposal

It is proposed to replace an existing degraded timber retaining wall with a new steel post and concrete sleeper wall. A new steel framed pool cabana is proposed to be added to the existing pool area. Upgraded landscaping will complete the works.

4.0 Gosford LEP 2014

The Gosford Local Environment Plan (LEP) 2014 lists the site as zoned R2.

The objectives of the zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that development is compatible with the desired future character of the zone.*
- *To encourage best practice in the design of low-density residential development.*
- *To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.*
- *To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing*

Response:

The proposed pool cabana and replacement retaining wall are a continuation of the existing use which is allowed within the zone.

The proposal meets the objectives of the R2 zone in that the ancillary structures contribute to the day to day needs of the residents whilst maintaining the existing and desired future character of the area.

Clause 4.3 Height of buildings

(1) *The objectives of this clause are as follows:*

- (a) *to establish maximum height limits for buildings,*
- (b) *to permit building heights that encourage high quality urban form,*
- (c) *to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight,*
- (d) *to nominate heights that will provide an appropriate transition in built form and land use intensity,*
- (e) *to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area,*
- (f) *to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.*

(2) *The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

Response:

The maximum height allowed for in the relevant map is 8.5m

The proposed building height of the pool cabana is 3.0m.

The proposal complies

Clause 4.4 Floor space ratio

The maximum Floor Space Ratio (F.S.R.) allowed for in the relevant map is 0.5 : 1.

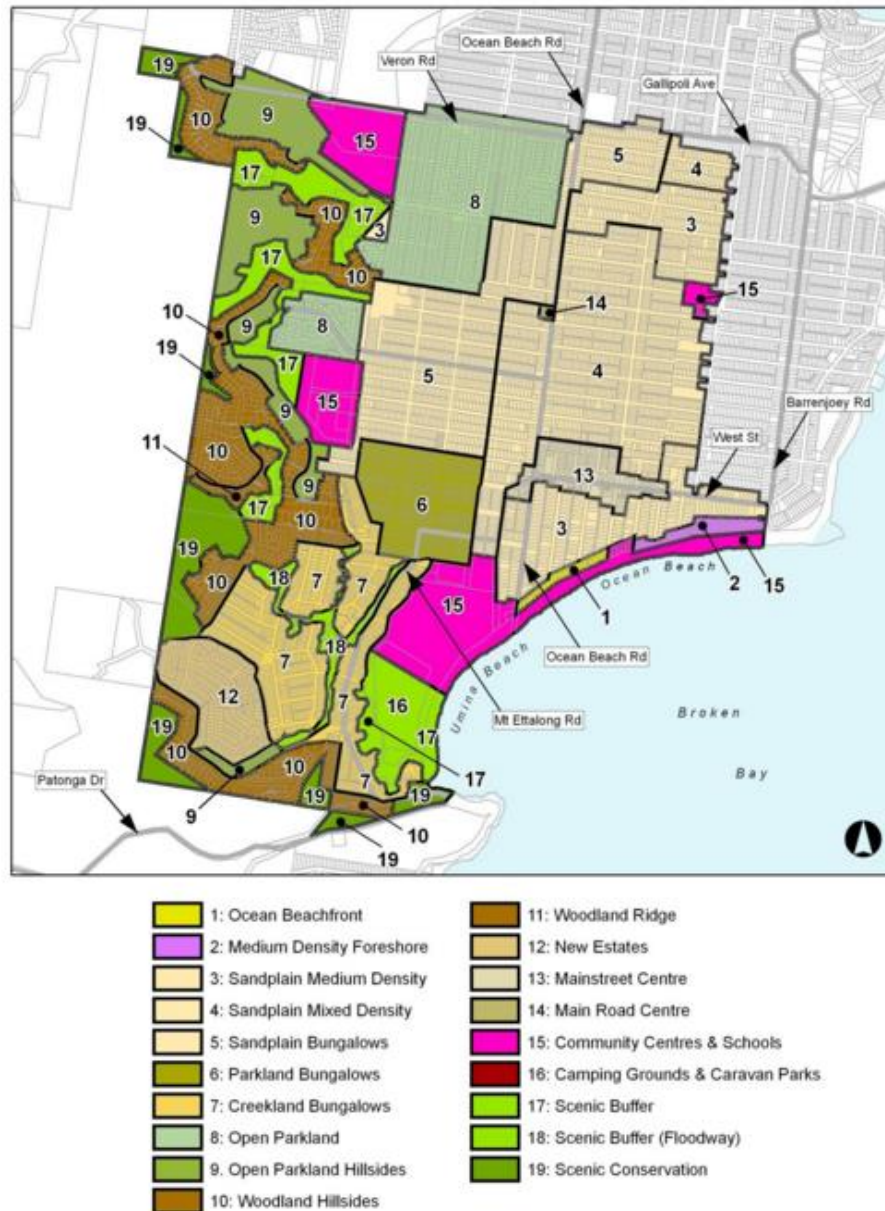
The proposed works do not increase the gross floor area. This clause is not applicable.

5.0 - Gosford Development Control Plan (DCP) 2013

Part 2 Scenic Quality and Character

Chapter 2.1 Character

The subject site is identified as - **Umina – 10 Woodland Hillsides**



Response

The proposal meets the objectives of the desired future character in that the proposed pool cabana and retaining wall are appropriately scaled and located within the confines of the surrounding topography, and does not reduce the available landscape area maintaining a 'leafy' streetscape.

Overall, the proposed alterations and additions are in keeping with the desired future character of the area.

Part 3 Residential

3.1 Dwelling Houses Secondary Dwellings and Ancillary Structures

3.1.1.1 Objectives

The Chapter aims to protect and enhance the amenity, scenic quality, character and environmental sensitivity of new and existing residential, rural and environmental land areas by:

- Encouraging development which is compatible with the existing or desired future character of the area
- Promoting standards of design which are functional and achieve a high level of amenity and aesthetic quality
- Encouraging residential development appropriate to the context of the local area
- Promoting sustainable development

Response:

The proposed pool cabana meets the objectives of the DCP as demonstrated below.

DCP2013 Control	Response
3.1.2.1 Building Height <i>The construction of a dwelling house, secondary dwelling or ancillary structure is restricted to a maximum building height. This height is measured from the existing ground level, which is the ground level of a site at any point, before any earthworks (excavation or fill) has taken place.</i>	The maximum building height allowed is 8.5m. The maximum building height of the pool cabana is 3.0m The proposal complies.
3.1.2.2 Site Coverage <i>The site coverage shall be is a maximum of: if the lot has an area of less than 450m²—60% of the site area. if the lot has an area of at least 450m² but less than 900m²—50% of the site area. if the lot has an area of at least 900m² but less than 1,500m²—40% of the site area. if the lot has an area of 1,500m² or more —30% of the site area.</i>	The existing site cover is not affected by the proposed works
3.1.2.3 Floor Space Ratio <i>Gosford Local Environmental Plan 2014 contains a Floor Space Ratio (FSR) Map that applies to certain areas within the Shire. In accordance with Clause 4.4 (2) of Gosford LEP 2014, the FSR of a development in these areas is not to exceed the FSR indicated on this map</i>	The proposed works do not increase the existing gross floor area or floor space ratio.
3.1.3.1a Front Setback <i>The average distance of the 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</i>	Not applicable
3.1.3.1b Rear Setback <ul style="list-style-type: none">• For any part of the building with a height of up to 4.5m- 0.9 m for 50% of the length of the rear boundary otherwise 3m• For any part of the building with a height greater than 4.5m – 6m	The rear setback to the new pool cabana is 8.1m. The proposal complies

<p>3.1.4.1 Views - Requirements</p> <ul style="list-style-type: none"> a) <i>Where relevant, applications must address the NSW Land and Environment Court Planning Principles relating to view sharing.</i> b) <i>Development is sited and designed to enable a sharing of views with surrounding private properties, particularly from habitable rooms.</i> c) <i>Development steps down the hillside on a sloping site.</i> d) <i>The design of the roof form provides 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</i> 	<p>The existing views of adjoining properties are not impacted by the proposed development</p>
<p>3.1.4.2 Visual Privacy – Requirements</p> <ul style="list-style-type: none"> a) <i>All development must minimise visual impact on adjoining development through one or more of the following design solutions:</i> <ul style="list-style-type: none"> i. <i>Windows, in particular to main living areas and balconies, must not face directly onto windows, balconies or the principal private open space of adjoining dwellings.</i> ii. <i>Staggering or splaying windows in relation to the windows of opposite adjoining dwellings.</i> iii. <i>Designing elevated terraces or decks to minimise overlooking of adjoining properties.</i> iv. <i>Use of landscaping and other screening devices of a height and design sufficient to screen direct views into main living areas and areas of principal private open space of adjoining dwellings.</i> v. <i>Increasing sill heights from finished floor level to windows, including highlight or clerestory style windows to restrict overlooking</i> 	<p>The replacement retaining walls are the same height and approximate location of the existing walls and therefore maintain existing finished ground levels which have no impact on the visual privacy of the adjoining properties.</p>
<p>3.1.4.3 Private Open Space Areas <i>Open space areas are provided within the site to provide for outdoor living and landscaping areas.</i></p> <p>Requirements</p> <ul style="list-style-type: none"> a) <i>For all dwellings the principal private open space areas shall be directly accessible from and adjacent to a habitable room other than a bedroom and shall be provided in accordance with the following:</i> <ul style="list-style-type: none"> I. <i>Lots with a width less than 10m wide at the building line 16m².</i> II. <i>Lots with a width greater than 10m wide at the building line 24m².</i> III. <i>Minimum dimension of 3m.</i> IV. <i>Is not steeper than a 1:50 gradient.</i> 	<p>The proposed open space meets the requirements in relation to minimum area and accessibility The proposal complies.</p>

<p>3.1.4.4 Sunlight Access</p> <p>Requirements</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) 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. Council may consider adopting a lesser standard than provided under this provision in circumstances where:</p> <ol style="list-style-type: none"> the proposed development complies with the building height and building envelope setbacks with this chapter. the proposal adequately considers site constraints including slope and site orientation. it can be identified that the adjoining development has not sufficiently considered likely future development and site constraints such as lot orientation in the location of private open space. 	<p>Minimum solar access provisions to the private open spaces are maintained.</p>
<p>3.1.5 Car Parking and Access</p> <p>Minimum off-street car parking provisions is required to be provided or retained for all dwelling houses as follows:</p>	<p>Off-street parking is maintained. The proposal complies</p>
<p>3.1.6 Earthworks, Structural Support and Drainage</p> <p>3.1.6.2 Retaining Walls and Structural Support</p> <p>a. Retaining walls that are more than 600mm above or below existing ground level and within 1m of any boundary, or more than 1m above or below existing ground level in any other location, must be designed by a professional engineer.</p> <p>b. Earthworks not structurally supported by a retaining wall having an unprotected sloping embankment or batter must:</p> <ol style="list-style-type: none"> not have an embankment slope greater than that required by the BCA for its soil type. generally not extend by more than 3m from the dwelling or have the toe of the embankment or batter within 1m from a side or rear boundary. 	<p>An existing dilapidated treated pine retaining wall is to be replaced with a new steel pile and concrete sleeper wall in approximately the same location and height. As a result, there are minimal earthworks required with no excess spoil to be removed from site. Adequate erosion controls will be put into place during construction as per the erosion control plan provided under separate cover.</p>
<p>3.1.6.3 Drainage</p> <p>All stormwater drainage collecting as a result of the erection of, or alterations or additions to, a dwelling, outbuilding or ancillary development must be conveyed by a gravity fed or charged system to a public drainage system, or an inter-allotment drainage system, or an on-site disposal system.</p>	<p>Adequate agricultural drainage will be incorporated into the retaining wall design, and drained to the existing stormwater system, to control groundwater in accordance with the engineer's details provided under separate cover.</p>

6.0 Environmental Effects

Matters for consideration under Section 4.15 Evaluation of the Environmental Planning and Assessment Act, 1979 No 203

4.15 (1) (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 following is an assessment of the relevant heads of consideration in relation to the likely environmental impacts of the proposed development.

Topography.

The site is in a fully developed residential subdivision made up primarily of one and two storey dwellings with established gardens. The site and the adjoining properties had been levelled and retained when originally developed. The site has a well-established manicured garden with areas of lawn and shrubs. The proposed retaining wall and pool cabana have no impact on the local topography.

Flora and Fauna.

The existing landscape is made up of a mix of native and exotic shrubs, small trees and lawn. No known endangered flora or fauna occupy the land.

Soil Disturbance and Sediment Control.

No significant earthworks are proposed and during construction the retaining wall careful consideration will be given to minimising erosion and damage to the surrounding areas.

Stormwater Management.

Existing stormwater infrastructure provisions are to be protected and retained.

Natural Hazards.

The site is subject to the threat from bushfire. The proposed structures are to be constructed from non-combustible materials in accordance with the bushfire report provided under separate cover

Access, Traffic Generation and Car Parking.

Access, traffic and parking are not impacted by the proposal.

Traffic Noise.

No additional traffic noise is generated by the proposed development.

Provision of Utility Services.

All standard utility services are maintained.

Waste Management.

construction waste is generated by the proposal will be dealt with in accordance with the waste management plan provided under separate cover. Existing ongoing collection arrangements are not impacted.

Sustainable Building Design.

The proposal complies with the principles of sustainable building design in that traditional materials and construction methods have been adopted where much of the material used is recyclable.

Scenic Quality/Visual Impact.

The proposed development is commensurate with the surrounding development and will have no negative impact on the scenic quality of the area.

Streetscape Character.

The proposed development will have no negative impact on the streetscape.

Building Bulk and Scale.

The proposed retaining wall adopts the dimensions of the existing wall and has no adverse impacts. The pool cabana is a single storey, lightweight structure in keeping with the scale of the dwelling.

Cultural Heritage.

There are no known aboriginal or other heritage issues for the specific site.

Social and Economic Effects.

The positive economic effects of the proposed development revolve around employment opportunities for local trades in the short term in addition to the ongoing contributions to the local economy by the occupants.

4.15 (1) (c) the suitability of the site for the development,

The proposed development is an allowed use within the zone. The responses within the above statement of environmental effects demonstrates that the site is suitable for the proposed use.

4.15 (1) (d) any submissions made in accordance with this Act or the regulations,

No submissions

4.15 (1) (e) the public interest.

The proposed development does not raise any issues that impact negatively on the public interest.

Conclusion,

As demonstrated above, it is our opinion that the proposed development will have no adverse impact on the local environment and is worthy of consent.