

STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed Multi Dwelling Housing Development
113 & 115 Springwood Street Ettalong Beach and 1A
Britannia Street Umina Beach
Lots 86A, 87A & 87B DP411980**

AUGUST 2022

Ref: 1172_SEE

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR
Proposed Multi Dwelling Housing Development**

WPP Pty Ltd

Address:

60 Denison Street Hamilton East NSW 2303

Contact:

ph: 0484 694 122

email: anthonywilliams@wppgroup.com.au

DOCUMENT STATUS

Issue	Date	Description	By
1	25/08/2022	Draft	LK
2	26/08/2022	Final	AW
3			
4			

Copyright © Williams Planning and Property Services Pty Ltd

This document has been authorised by Anthony Williams

Date 26/08/2022

Disclaimer

This report has been prepared based on the information supplied by the client and investigation undertaken by Williams Planning and Property Services Pty Ltd (WPP Pty Ltd) & other consultants. Recommendations are based on WPP's Pty Ltd professional judgement only and whilst every effort has been taken to provide accurate advice, Council and any other regulatory authorities may not concur with the recommendations expressed within this report. This document and the information are solely for the use of the authorised recipient and this document may not be used, copied or reproduced in whole or part for any purpose other than that for which it was supplied by WPP Pty Ltd. WPP Pty Ltd makes no representation, undertakes no duty and accepts no responsibility to any third party who may use or rely upon this document or the information.

Confidentiality Statement

All information, concepts, ideas, strategies, commercial data and all other information whatsoever contained within this document as well as any and all ideas and concepts described during the presentation are provided on a commercial in confidence basis and remain the intellectual property and Copyright of WPP Pty Ltd and affiliated entities.

This document has been registered with our solicitors along with a copy of all previous materials.

EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by WPP Pty Limited (WPP) on behalf of Ettalong Memorial Bowling Club (the land owners and proponents) to accompany a development application (DA) for demolition of existing site development and construction of a new multi dwelling housing proposal at 113 & 115 Springwood Street Ettalong Beach and 1A Britannia Street Umina Beach (the site). The cost of construction for the proposal is \$1,822,893.08 (inclusive of GST).

The subject land is zoned R1 General Residential under the *Central Coast Local Environmental Plan 2022* (CCLEP). Under the provisions of the CCLEP, multi-dwelling housing is permitted with consent in the R1 zone.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Assessment Regulation 2021*. The SEE seeks to:

- Describe the proposed development and its context (immediate / local / regional);
- Determine the applicable development assessment pathway (e.g. State Significant / Regional / Local)
- Assess the proposal against the applicable planning controls and guidelines; and
- Assess the potential environmental impacts and describe any measures to mitigate impacts.

The proposal has evolved from a comprehensive design review process and site analysis, with particular regard to amenity and streetscape impacts. The proposal is considered to provide an appropriate response to identified environmental constraints, including existing mature trees. Its approval will result in the provision of much-needed townhouse style housing in a well-serviced location, and in a built form that is compatible with both existing development and the desired character for the locality. In this respect, we note that the proposal does not seek an ‘overdevelopment’ of the site but rather provides a well-designed, high-amenity outcome for future occupants and the locality.

The site’s proximity to high-amenity recreational areas, local centres and public transport infrastructure make it suitable for the development of a more intense form of housing. Further, the site is not constrained by any environmental conditions which would otherwise preclude the proposed development. For the above stated reasons, this SEE finds the proposal to be in the public interest and worthy of Council’s approval.

TABLE OF CONTENTS

1	Introduction	1
2	The Site and Context	2
2.1	Site Location and Context	2
2.2	Site Details	3
3	Proposed Development	6
3.1	Overview	6
3.2	Site Preparation	8
3.3	Proposed Units	9
3.4	Materiality	10
3.5	Civil Works and Stormwater Management	10
3.6	Landscaping	11
3.7	Waste Management	12
4	Planning Framework	14
4.1	Assessment and Approvals Pathway	14
4.2	Relevant Legislation	14
4.2.1	Environmental Planning and Assessment Act 1979	14
4.2.2	Environmental Planning and Assessment Regulation 2021	16
4.3	Environmental Planning Instruments	16
4.3.1	State Environmental Planning Policy (Biodiversity and Conservation) 2021	16
4.3.2	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	17
4.3.3	State Environmental Planning Policy (Planning Systems) 2021	17
4.3.4	State Environmental Planning Policy (Resilience and Hazards) 2021	17
4.3.5	Central Coast LEP 2022	18
4.3.6	Any Draft Environmental Planning Instruments	21
4.4	Central Coast Development Control Plan 2022	21
4.5	Likely Impacts	22
4.5.1	Visual Impact	22
4.5.2	Privacy	23
4.5.3	Overshadowing and Solar Access	23
4.5.4	Traffic, Transport and Parking	24
4.5.5	Waste Management	25
4.5.6	Tree Management	25
4.5.7	Stormwater Management	26

4.5.8	Geotechnical, Earthworks and Soil Erosion and Sediment Control	26
4.5.9	Contamination	27
4.5.10	CPTED	27
4.6	Suitability of the Site	28
4.7	The Public Interest	28
5	Conclusion	29

FIGURES

Figure 1 - Site Context.....	2
Figure 2 - Extract of Site Survey	4
Figure 3 - Aerial View of Site (note dwelling within north-eastern lot has been demolished)	4
Figure 4 - Council's Flood Precinct Map.....	5
Figure 5 – Proposed Site Plan	6
Figure 6 - Proposed Floor Plan	7
Figure 7 – Proposed Northern Elevation.....	7
Figure 8 - Proposed Southern Elevation	7
Figure 9 - Proposed Eastern and Western Elevation	8
Figure 10 – 3D Views.....	8
Figure 11 - Proposed Materials and Finishes	10
Figure 12 - Proposed Stormwater Management Plan	11
Figure 13 - Proposed Landscape Masterplan.....	12
Figure 14 - Proposed Waste Management Plan	13
Figure 15 - CCLEP Zoning Map	18
Figure 16 - CCLEP Height of Buildings Map.....	19
Figure 17 - CCLEP Floor Space Ratio Map	20
Figure 18 - CCLEP Acid Sulfate Soils Map.....	21
Figure 19 - Extract of Shadow Diagrams - Winter Solstice	24

ATTACHMENTS

Appendix 1 – Site Survey
Appendix 2 – Architectural Plans
Appendix 3 – Landscape Plans
Appendix 4 – Civil Plans
Appendix 4a – Water Cycle Management Plan
Appendix 5 – Arboricultural Impact Assessment Report
Appendix 6 – Cost Estimate Report
Appendix 7 – Basix Certificate
Appendix 7a – NatHers Assessment
Appendix 8 – Flood Certificate
Appendix 9 – DCP Compliance Table
Appendix 10 – Report on Geotechnical Investigation and Acid Sulfate Soil Assessment
Appendix 11 – Traffic and Parking Assessment

1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by WPP on behalf of the land owners and proponents, Ettalong Memorial Bowling Club, in support of a development application for a new multi dwelling housing proposal at the site.

The key components of the proposal are as follows:

Proposal	Demolition of existing improvements, select tree removal, construction of four single-storey townhouses and other ancillary works
Site Location	113 & 115 Springwood Street Ettalong Beach and 1A Britannia Street Umina Beach; Lots 86A, 87A & 87B DP411980
Zoning	R1 General Residential
Proposed Use	Multi-dwelling Housing
Applicant	Ettalong Memorial Bowling Club
Land Owner	Ettalong Memorial Bowling Club

This report is supported by the following documentation:

- Site Survey
 - Architectural Plans
 - Landscape Plans
 - Civil Plans
 - Arboricultural Impact Assessment Report
 - Geotechnical Investigation / ASS Assessment
 - Traffic and Parking Assessment
 - Cost Estimate Report
 - Basix Certificate
- Geodesy Survey Group
 - CKDS Architecture
 - Xeriscapes
 - Cubo Consulting
 - Urban Arbor Pty Ltd
 - Douglas Partners
 - Transport and Traffic Planning Associates
 - John J Hollis and Partners
 - Chapman Environmental Services

This SEE has been prepared in accordance Part 3 of the *Environmental Planning & Assessment Regulation 2021*, having regard to Section 4.15 of the *Environmental Planning & Assessment Act 1979*. It provides a description of the existing land, as improved, and the site context in Section 2, with details of the proposed development in Section 3. The environmental planning controls applying to the site and an assessment of compliance with these controls are set out in Section 4. Section 5 contains concluding comments in respect of the proposed development.

2 The Site and Context

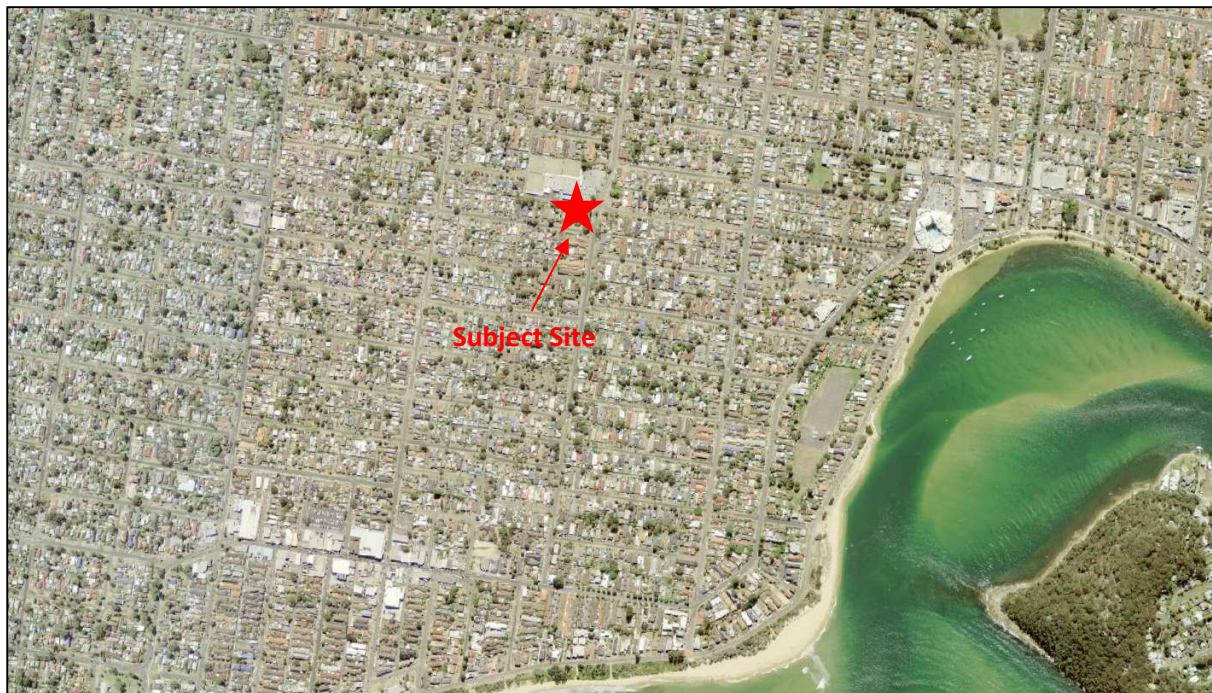
2.1 Site Location and Context

The subject site is located partly within the suburb of Ettalong Beach (to the east) and partly within the suburb of Umina Beach (to the west), within the Central Coast Local Government Area. It is within 900m of the local centres of Ettalong Beach and Umina Beach to the east and south-west respectively, and less than 850m from the Ettalong Beach foreshore. The local centres of Ettalong Beach and Umina Beach provide a range of retail, recreational and commercial activities to the local area.

With the exception of the Ettalong Memorial Bowling Club (EMBC), the surrounding land uses are predominantly residential, with housing provided in the form of detached dwelling houses or low rise medium density housing. This is particularly evident to the immediate west of the site, with the allotments adjoining the EMBC site's southern boundary accommodating a two storey townhouse development fronting Britannia Street. We understand this project comprises eight units and was approved by Council in 2016.

The site is in close proximity to public transport services (nearest bus stop approximately 70m from the site), primary schools and recreational areas. Extensive recreational areas, including sporting fields, netball courts, walkways and playgrounds, are provided along the nearby foreshore areas of Ettalong Beach and Umina Beach.

Figure 1 - Site Context



2.2 Site Details

The site comprises three allotments with a combined area of approximately 1,638.2m² (by survey calculation). It has a combined frontage to Springwood Street of approximately 26m and combined frontage to Britannia Street of approximately 55m.

The site is predominantly flat, with a cross fall of approximately 0.17m from the approximate high point RL 6.36m AHD at the south-west corner to the approximate low point RL 6.19m AHD at the north-east corner of the site.

While owned by a Registered Club, the land is not used for purposes associated with the day to day operations of the Club. One of the subject allotments (1A Britannia Street) contains a freestanding single-storey weatherboard dwelling house with driveway access to Britannia Street. The remaining two allotments previously accommodated single dwellings but are now vacant.

As shown in the Site Survey, the site is serviced by electricity, sewer, gas and telecommunication utilities (see **Appendix 1** and **Figure 2**). The survey identifies:

- Kerb and gutter is available for the full length of frontage to Springwood Street, but does not extend for the full length of the Britannia Street frontage;
- Stormwater grates are located within the existing kerb and gutter along Springwood Street;
- A power pole is positioned at the centre of the Springwood Street frontage while another power pole is located on the boundary of 1A Britannia Street and 3 Britannia Street. Overhead powerlines extend along both street frontage;
- A formal concrete footpath adjoins the site's frontage to Springwood Street. The footpath extends around the corner, before terminating, then recommencing along the frontage of 3 Britannia Street to the west of the site;
- Sewer inspection openings are located along both frontages; and
- Telstra pits are located along both frontages.

There are four trees located within the site and an additional eight trees located within the road reserve (predominately *Angophora Floribunda*).

An extract of the site survey is provided in **Figure 2**, while an aerial view of the site is provided in **Figure 3**.

Figure 2 - Extract of Site Survey

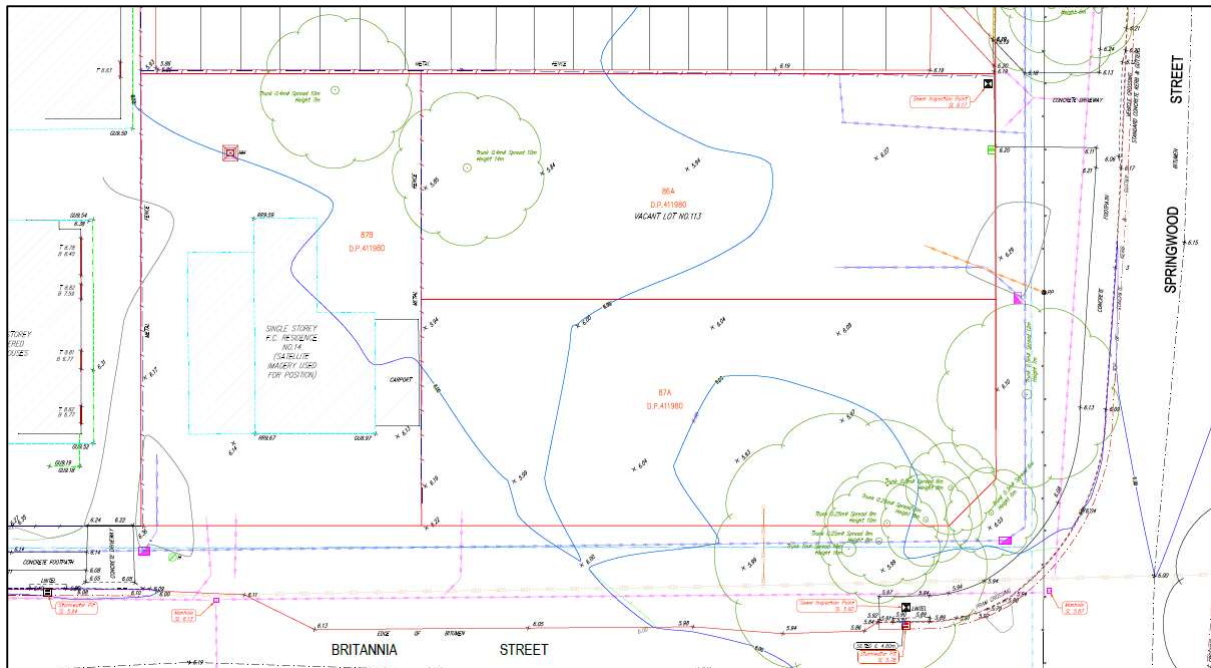


Figure 3 - Aerial View of Site (note dwelling within north-eastern lot has been demolished)

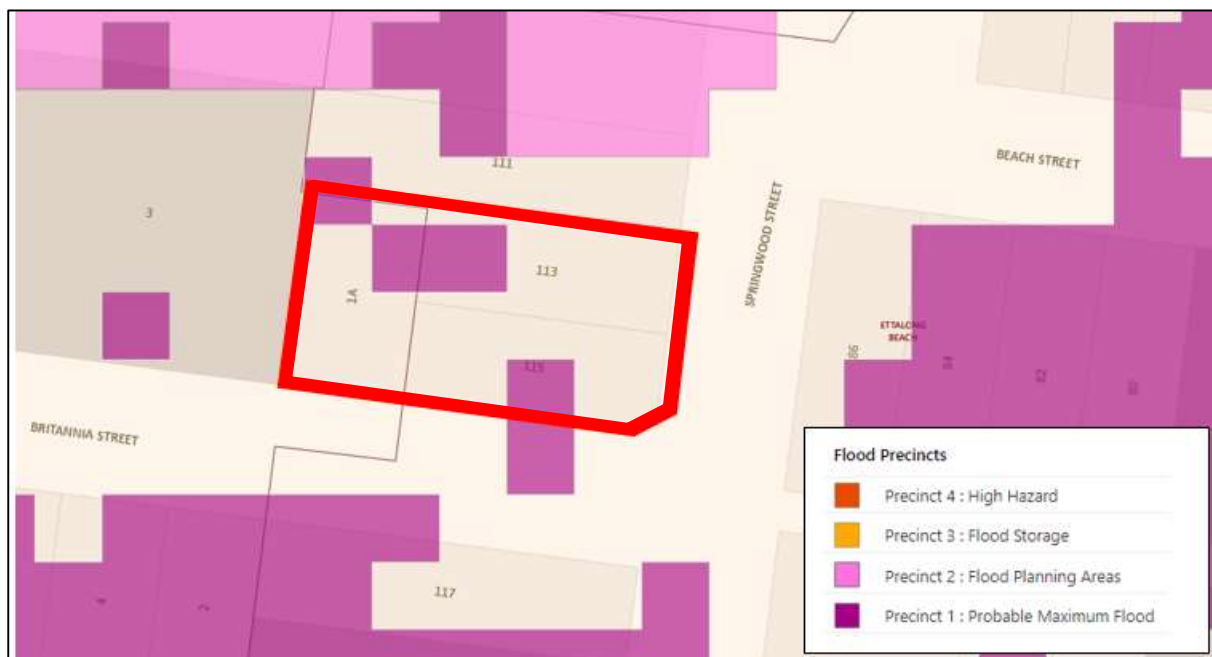


A desktop analysis of the site indicates that:

- The site is not bushfire prone;
- The site is not in a proclaimed mine subsidence district;
- Acid Sulfate Soils mapping identifies the land as 'Class 4 Land', indicating the presence of Acid Sulfate Soils at 2m or more below the natural ground surface;
- The site is not a listed heritage item or located in a heritage conservation area;
- It is identified on Council mapping as being within a 'flood precinct', predominately containing areas affected by the Probable Maximum Flood and small areas at the northern and south-western extent affected by the 1 in 100 year flood event (see **Figure 4**). A flood certificate was obtained from Council for 115 Springwood Street which identifies that part of the allotment is affected by the Probable Maximum Flood but is not affected by the 1 in 100 year flood event (see **Appendix 8**);
- Due to the current and historic use of the site for residential purposes, the presence of any contamination risks at the site is unlikely; and
- The site is not in the NSW coastal zone.

The findings of the desktop analysis have informed the design development and evaluation of the likely impacts associated with the proposal.

Figure 4 - Council's Flood Precinct Map



3 Proposed Development

3.1 Overview

The proposed multi-dwelling housing development involves the following key features:

- Demolition of existing improvements, select tree removal, and minor earthworks;
- Construction of four single-storey townhouses, each with three bedrooms and a double garage;
- Two-way vehicular access from Springwood Street;
- Installation of stormwater infrastructure;
- A new public footpath along the site's frontage to Britannia Street and Dickinson Street, connecting to the existing pedestrian network; and
- Landscaping of the site, including the provision of street trees.

The extent of works is shown in **Figures 5 - 10** below. A copy of the Architectural Plans is provided at **Appendix 2**, which details the selection of external materials proposed including indicative colour selections. Additional details of the proposal are provided in the following sections.

The proposal will have an overall cost of \$1,822,893.08 inclusive of GST (see **Appendix 6**).

Figure 5 – Proposed Site Plan

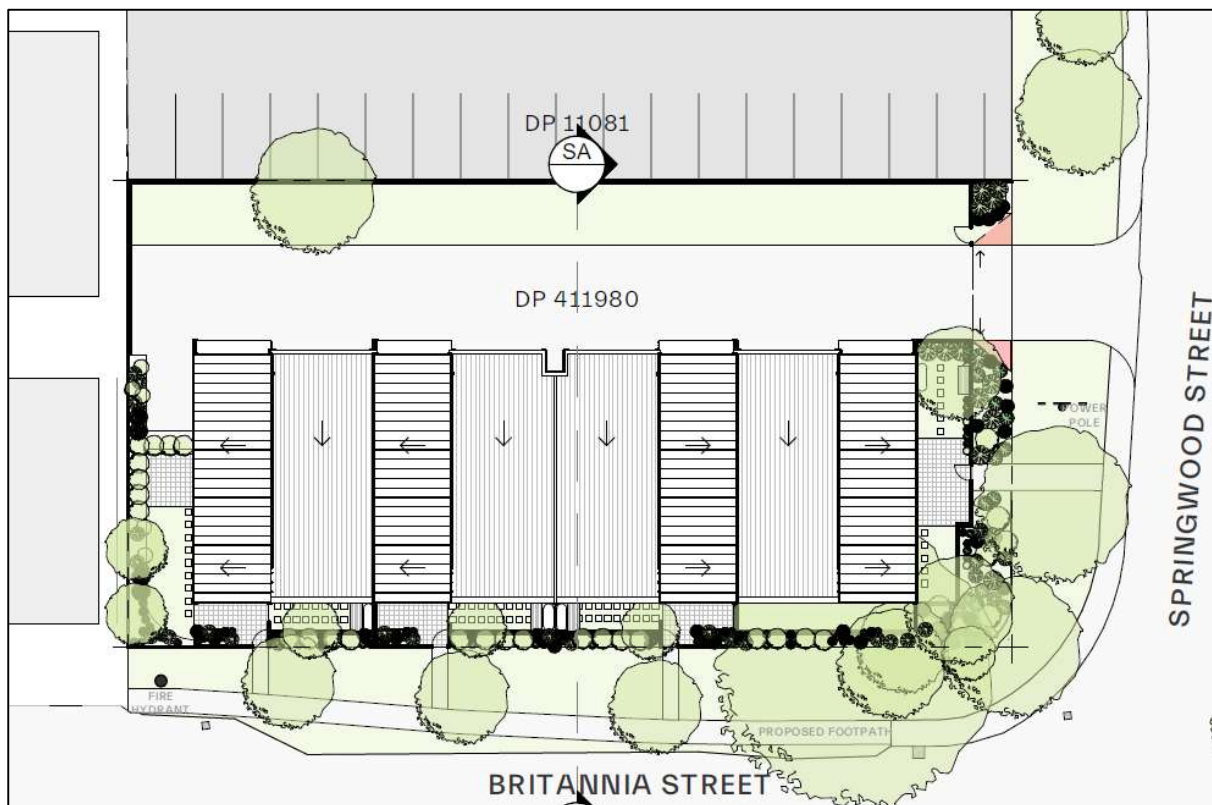


Figure 6 - Proposed Floor Plan

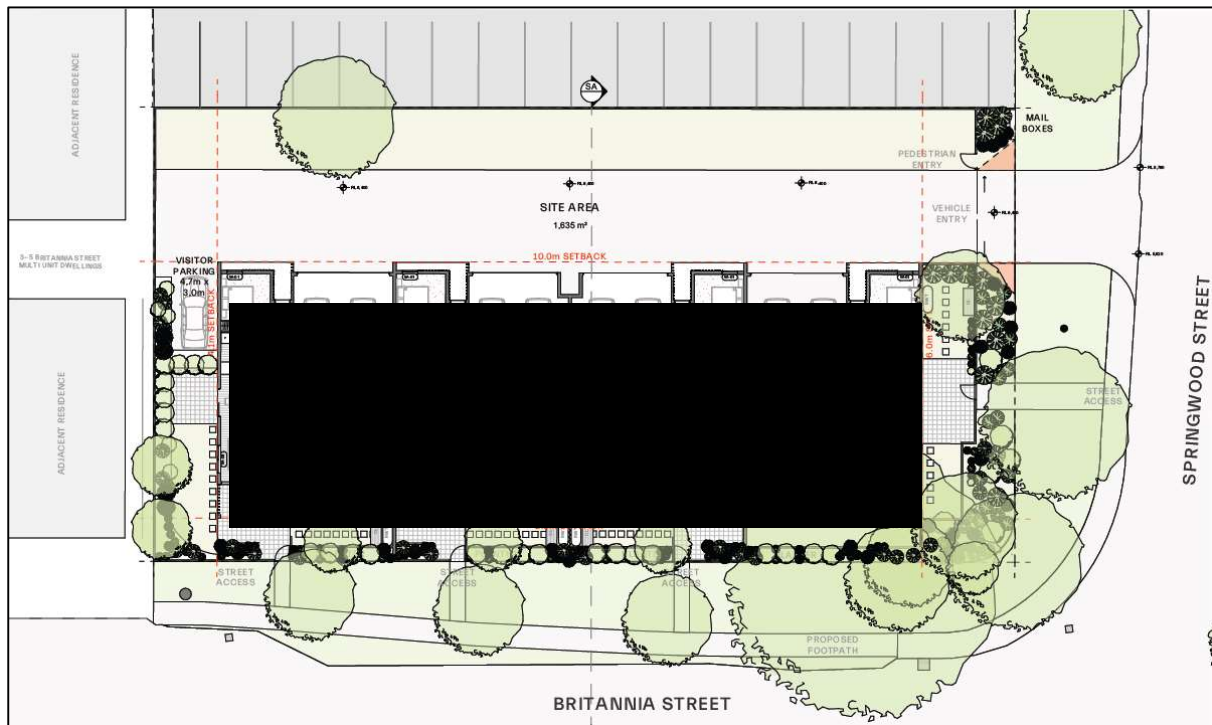


Figure 7 – Proposed Northern Elevation

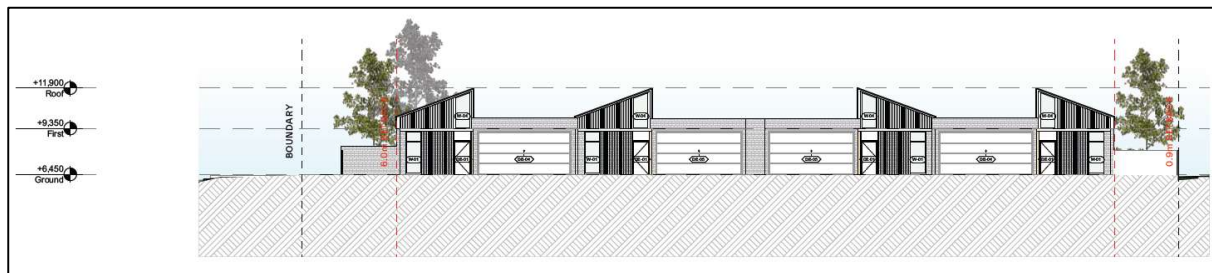


Figure 8 - Proposed Southern Elevation

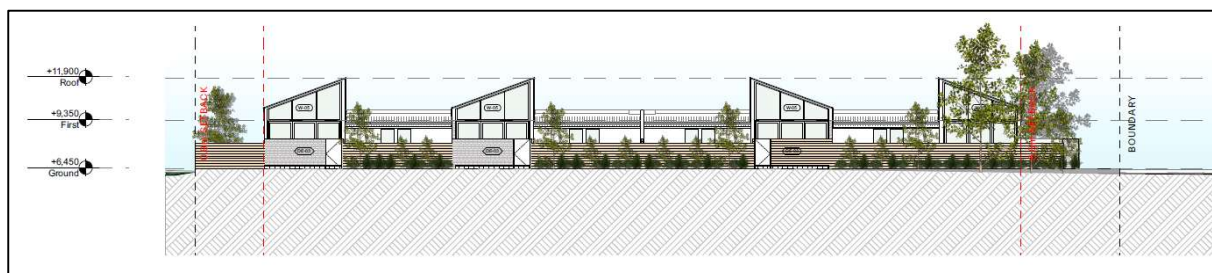


Figure 9 - Proposed Eastern and Western Elevation

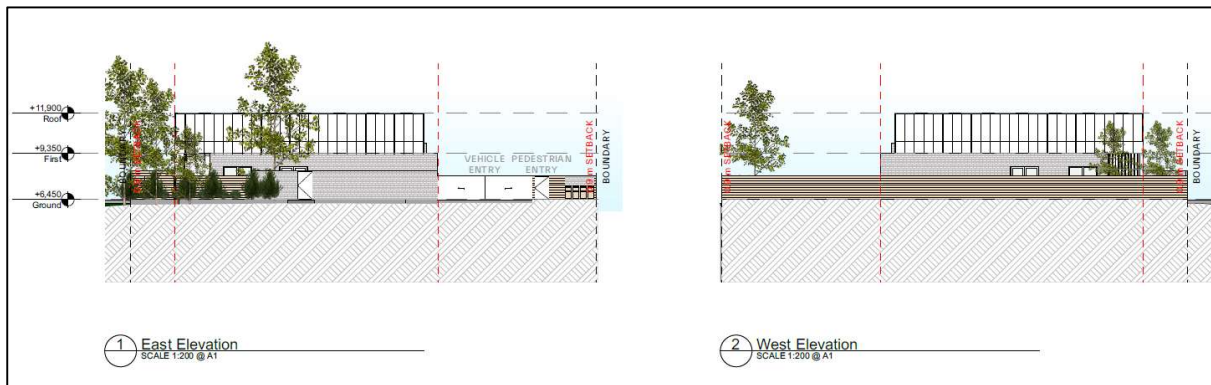


Figure 10 – 3D Views



3.2 Site Preparation

Site preparation works would involve the following key components:

- Demolition of all existing structures within the site.;
- Removal of three trees within the site and retention and protection of eight remaining trees within the road reserve (see **Appendix 5** and **Section 4.5.6**);
- Minor earthworks undertaken in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments* to create the building footprint, as well as the installation of required service and drainage infrastructure.

3.3 Proposed Units

It is proposed to construct four new single-storey attached residential units fronting Britannia Street. Each unit will have an area of 111.60m² and will include:

- An individual pedestrian access from Britannia Street or Springwood Street;
- A separate rear entrance from the driveway;
- A double garage;
- Open plan living, dining and kitchen;
- Three bedrooms with built-in robes, including a master suite with ensuite bathroom;
- A bathroom and laundry cupboard;
- Private open space in the form of a courtyard plus additional terrace for Units 1 and 4; and
- An outdoor utility area for each unit accommodating a clothesline, bin storage area and rainwater tank.

The units will adopt pitched roof forms which reach a maximum height of 5.45m (RL11.90m AHD) from exiting ground levels.

The units will be setback by a minimum of 10m from the northern property boundary, 6m from the eastern boundary (Springwood Street), 2.8m from the southern boundary (Britannia Street) and 4.1m from the western boundary.

3.4 Materiality

The materials and finishes for the proposal conceptually show a neutral palate of complementary materials, and does not seek to rely on an excessive use of colours or variation in materials in an attempt to give the design interest. The materials and finishes proposed will allow for architectural merit of the proposal to shine, without being overbearing or dominant. The materials and finishes are shown in **Figure 11**.

Figure 11 - Proposed Materials and Finishes

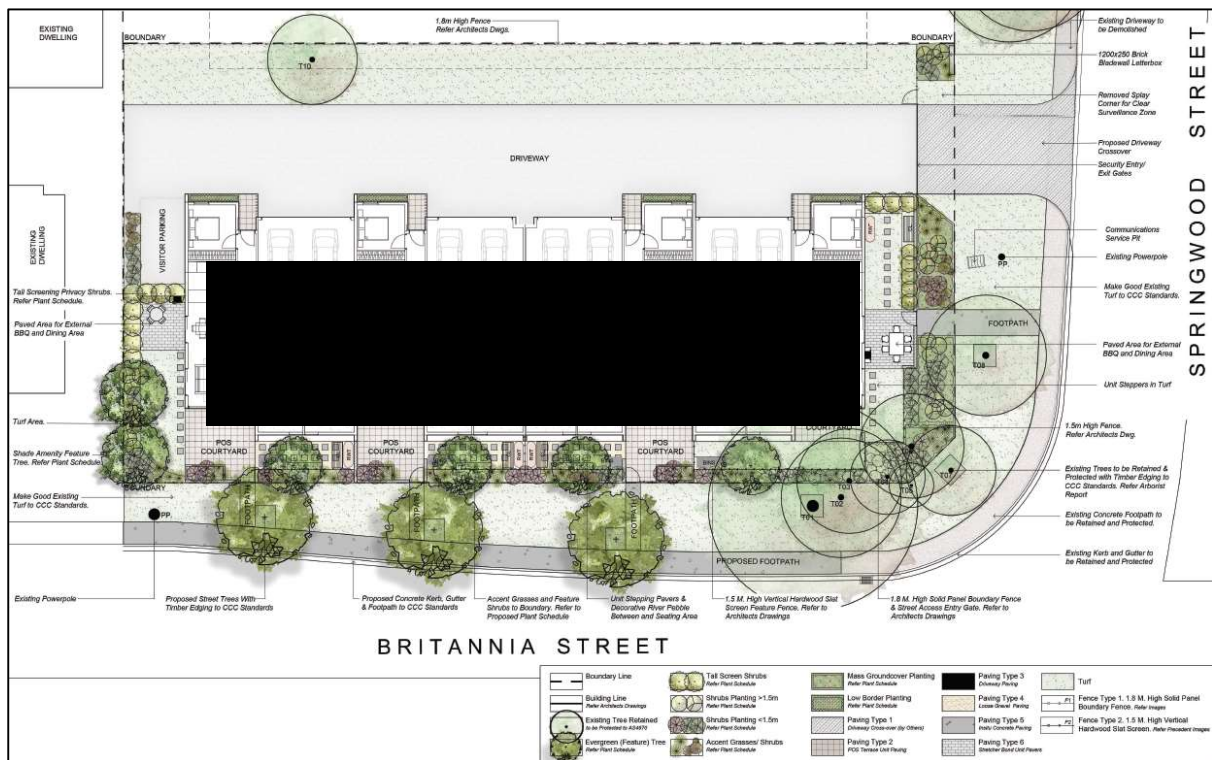


3.5 Civil Works and Stormwater Management

It is proposed to construct a 6.0m wide driveway from Springwood Street. The new driveway will provide access to the double garage at the northern elevation of each unit, as well as the at-grade visitor space located near the western boundary.

As provided on the Civil Plans and Water Cycle Management Plan at **Appendices 4 and 4a**, respectively, each unit will be served by a 2,500L rainwater tank collecting roof run-off from the new roof areas. Overflow from the rainwater tanks as well as runoff from hardstand areas will be contained by a proposed infiltration tank beneath the driveway. Rainwater reuse is proposed for some toilet flushing and landscape irrigation. The proposed stormwater arrangement is shown in **Figure 12** below.

Figure 13 - Proposed Landscape Masterplan



3.7 Waste Management

During the construction phase there will be a designated signposted area for storage of recyclable and non-recyclable waste within the site.

Domestic waste will be stored in the private utility areas adjacent to the street entrance path to each unit and collected as per current / recent site practices. This site is serviced by standard residential waste bins collected from the street by Council's kerbside-collection service, as is typical for residential waste.

An extract of the proposed waste management arrangement is provided in **Figure 14** below.

Figure 14 - Proposed Waste Management Plan



4 Planning Framework

This section summarises the approval requirements for the proposal, including its permissibility under relevant planning instruments, and the application of other environmental legislation.

The legislation and environmental planning instruments relevant and applicable to the subject site and proposal include:

- *Environmental Planning and Assessment Act 1979;*
- *Environmental Planning and Assessment Regulation 2021;*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;*
- *State Environmental Planning Policy (Planning Systems) 2021;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021;*
- *Central Coast Local Environmental Plan 2022; and*
- *Central Coast Development Control Plan 2022.*

Where relevant, these controls are addressed below.

4.1 Assessment and Approvals Pathway

In accordance with Section 4.2 of the EP&A Act 1979, the proposal is development that requires consent and is therefore subject to the provisions of Part 4 of the EP&A Act. Based on the cost of works the proposal is neither state significant development or regional development as described in *State Environmental Planning Policy (Planning Systems) 2021*.

The proposal is not integrated development as described in Section 4.46 of the EP&A Act.

4.2 Relevant Legislation

4.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act provides the framework for environmental planning and development approvals and includes provisions to ensure that the potential environmental impacts of a development are assessed and considered in the decision-making process.

As outlined in Section 4.1, the proposal is subject to assessment under Part 4 of the EP&A Act.

4.2.1.1 Objects of the EP&A 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.*

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the EP&A Act:

- The proposal will facilitate the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to accommodate multi dwelling house.
- The proposal will help promote the delivery and maintenance of housing diversity.
- The development is attractively designed to respect and complement surrounding built form.
- It will create additional employment opportunities during the construction phase.
- Appropriate utility services are available to serve the subject site.
- There will be no unreasonable adverse environmental impacts, and the proposal provides an appropriate response to site constraints.

4.2.1.2 Designated Development

The proposal is not designated development, as described in Section 4.10 of the EP&A Act.

4.2.1.3 Section 4.15 Evaluation

Section 4.15 of the EP&A Act specifies the matters which a consent authority must consider when determining a DA.

The relevant matters for consideration under Section 4.15 are addressed in **Table 1** below.

Table 1 – Section 4.15 Considerations

Section 4.15	Reference within this SEE
(a) the provisions of:	
(i) any environmental planning instrument, and	Refer to Section 4.3 of this SEE
(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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Refer to Section 4.3.5 of this SEE
(iii) any development control plan, and	Refer to Section 4.4 of this SEE

Section 4.15	Reference within this SEE
(iia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	No reference. No planning agreement has been entered into with respect to the site or proposed development.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Refer to Section 4.2.2 of this SEE
(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),	N/A – the site is not within the coastal zone
(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,	Refer to Section 4.5 of this SEE and associated technical reports and plans.
(c) the suitability of the site for the development,	Refer to Section 4.6 of this SEE and associated technical reports and plans.
(d) any submissions made in accordance with this Act or the regulations,	To be considered as part the assessment process.
(e) the public interest	Refer to Section 4.7 of this SEE.

4.2.2 Environmental Planning and Assessment Regulation 2021

This application satisfies relevant clauses of the Regulation as follows:

- Clause 61 - Demolition will be undertaken in accordance with AS 2601 - 1991: The Demolition of Structures;
- Clause 69 - All building work will be carried out in accordance with the provisions of the Building Code of Australia;
- All information required in Part 3 of the EP&A Regulation 2021 has been submitted.

4.3 Environmental Planning Instruments

4.3.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

4.3.1.1 Chapter 2 Vegetation in non-rural areas

Chapter 2 of this SEPP aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Chapter 2 applies to land described in Clause 2.3 of the SEPP, which includes land as it is zoned R1 General Residential and thus applies to the subject site.

Clause 2.6 outlines that a person must not clear vegetation in any non rural area without either an authority conferred by a permit granted by the relevant Council under Part 2.3 of the Vegetation SEPP, or where clearing exceeds the biodiversity offsets scheme threshold an authority conferred by an approval of the Native Vegetation Panel under Part 2.4 of the SEPP.

Under the circumstances we anticipate a permit would be issued by the Council for the proposed removal of three trees.

4.3.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The aim of this Policy is to establish a scheme to encourage sustainable residential development (the BASIX scheme). This on-line assessment tool calculates the dwelling's energy and water scores based on a range of design data.

SEPP BASIX requires the submission of a BASIX certificate to accompany an application for development consent for any "BASIX affected building". A copy of the BASIX Certificate is provided at **Appendix 7**.

4.3.3 State Environmental Planning Policy (Planning Systems) 2021

4.3.3.1 Chapter 2 State and regional development

Chapter 2 of this SEPP to confer functions on Regional Planning Panels (RPP) to determine development applications in certain circumstances.

Part 2.4 of the SEPP provides that a regional panel (in this case the Hunter-Central Coast Joint Regional Planning Panel) may exercise consent authority functions, including the determination of development applications, for development identified within Schedule 6.

The proposal is not described as regional development within Schedule 6. Consequently, the application will be determined by Central Coast Council rather than the RPP.

4.3.4 State Environmental Planning Policy (Resilience and Hazards) 2021

4.3.4.1 Chapter 4 – Remediation of land

Chapter 4 of SEPP (Resilience and Hazards) 2021 provides a state-wide planning approach for the remediation of land and aims to promote the remediation of contaminated land to reduce the risk of harm to human health or the environment. Clause 4.6(1) states:

- (1) A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A desktop evaluation of the site, including review of EPA databases, indicates that the potential sources of contamination present a low to negligible risk to receptors, and the ongoing use of the site for residential purposes. The site is not understood to have been used for any activities that have the potential to cause contamination.

Accordingly, Council can be satisfied that the land will be suitable for the intended use.

4.3.5 Central Coast LEP 2022

4.3.5.1 Land Use Zone and Zone Objectives

The proposed development is subject to the provisions of the *Central Coast Local Environmental Plan 2022* (CCLEP). The subject site is zoned R1 General Residential under the CCLEP (see **Figure 15**).

Figure 15 - CCLEP Zoning Map



The objectives of the zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To promote best practice in the design of multi dwelling housing and other similar types of development.*
- *To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.*

The proposal will provide much-needed townhouse-style housing in proximity to high-amenity recreational areas, local centres and public transport infrastructure. It has been sited and designed to respect the residential amenity of the surrounding area and provide an attractive streetscape outcome. The proposed built form is considered to be compatible with both existing development and the desired character for the locality.

4.3.5.2 Statutory Definition and Permissibility

The proposal is most appropriately characterised as multi dwelling housing, which is defined under the CCLEP as follows:

***multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.*

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

Multi dwelling housing is a land use which is described in the CCLEP as being permitted with consent in the R1 zone.

4.3.5.3 Central Coast LEP 2022 – Other Provisions

Clause 4.3 - Height of Buildings

The objectives of this Clause are to enable appropriate development density and to ensure that building heights compatible with the character of the locality.

The maximum building height map for the area prescribes a maximum building height of 8.5m for the site. As provided in **Appendix 2**, the new building has a maximum building height of 5.45 metres, below the prescribed height limit.

Figure 16 - CCLEP Height of Buildings Map



Clause 4.4 – Floor Space Ratio

The objectives of this clause are to ensure the density, bulk and scale of development integrates with the streetscape and character of the area, to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain, and to facilitate design excellence.

The floor space ratio (FSR) map for the area prescribes a maximum FSR of 0.5:1 for the site. The proposal has an FSR of 0.273:1, below the prescribed FSR limit.

Figure 17 - CCLEP Floor Space Ratio Map



Clause 5.21 – Flood Planning

As provided on the flood certificate at **Appendix 8**, the site falls outside the Flood Planning Area. Therefore, this clause does not apply.

Clause 7.1 - Acid Sulfate Soils

The subject site is identified as containing Class 4 Acid Sulfate Soils (see **Figure 18**). The CCLEP 2022 provides the circumstances under which development consent must not be granted for carrying out of works unless an acid sulfate soils management plan has been prepared. In the case of Class 4 soils, this requirement comes into effect when works are proposed more than 2m below the natural ground surface or by which the watertable is likely to be lowered by more than 2m below the natural ground surface.

Based on the proposed construction methodology, no works are proposed 2m or more below the natural ground level and the water table is unlikely to be lowered. Moreover, the Geotechnical Assessment report prepared by Douglas Partners confirmed that acid sulfate soils are considered not

to be present at the site, within the depth of the investigation ranging from 2.5m to 2.6m (see **Appendix 10**). Therefore, an acid sulfate soils management plan is not required.

Figure 18 - CCLEP Acid Sulfate Soils Map



Clause 7.6 – Essential services

Clause 7.6 requires the consent authority to ensure that services such as water, sewer, electricity, stormwater drainage and road access have been provided or adequate arrangements existing for the provision of those services can be adequately provided.

The site is serviced by sewer, water, electricity and telecommunications infrastructure, and adequate arrangements have been made with respect to stormwater drainage and water quality and vehicular access (see **Appendix 4** and Section 3.5).

4.3.6 Any Draft Environmental Planning Instruments

No draft environmental planning instruments apply to the proposed development.

4.4 Central Coast Development Control Plan 2022

The Central Coast Development Control Plan 2022 (the DCP) applies to the proposed development. Compliance with the relevant controls is addressed in **Appendix 9**. Note that satisfaction of the DCP objectives is generally achieved through compliance with the specific controls in each section.

Where control compliance is not appropriate, an explanation of how the proposal still achieves the overall objectives is provided.

Appendix 9 demonstrates that the proposal is compliant with the majority of prescriptive controls of the DCP, and more importantly, consistent with all relevant objectives and / or performance-based controls.

4.5 Likely Impacts

4.5.1 Visual Impact

The site is identified as being within the 'Woy Woy/Umina Landscape Unit' under Council's *Scenic Quality and Character Statements Guideline*. This Landscape unit is identified as having a high absorption capacity and a generally low visual sensitive (higher on the waterfront).

Council's Guideline identifies the redevelopment of waterfront areas which have the potential to restrict visual access to the waterways as a scenic conservation issue. It provides the following Statement of Significance for the Woy Woy/Umina Landscape Unit:

The Woy Woy/Umina Landscape Unit is of local scenic value only. It is an example of low cost early suburban and beach retreat development on Brisbane Water. The Brisbane Water Escarpment provides a significant backdrop to Woy Woy/Umina.

As detailed in Section 2.1, the site is located appropriately 840m from the foreshore of Ettalong Beach. Due to the relatively flat topography of the area, the site has no visual connectivity to the beach, and its visual catchment is generally limited to the immediately surrounding streetscape and development. With the exception to the large-scale Ettalong Memorial Bowling Club to the north, the surrounding built form is characterised by detached dwelling houses or low rise medium density housing. A two storey townhouse development fronting Britannia Street immediately adjoins the site to the west.

The site currently accommodates an older style single storey dwelling in relatively poor condition, as well as two vacant allotments, which provide limited visual interest and amenity to the local area. The proposal seeks to introduce four architecturally designed single storey units fronting Britannia Street. The proposed design of the building seeks to minimise visual bulk and break up the building massing. In particular, the building has been designed to present to Britannia Street as a row of separate units with indented building footprints and terraces, separate pedestrian entrances, and variation in fencing materials and roof pitches. The use of colours, materials and detailing provides a highly articulated façade and attractive address to Britannia Street and the street corner. All building elements are integrated into the overall building form and the façade design, and colours, materials and design are consistent with the desired character of the area.

To further minimise any potential visual impacts to adjoining properties and the public domain, and to enhance the overall landscape setting, the proposal provides generous areas of soft landscaping and deep soil planting. Importantly, the scheme provides for the retention of all trees within the site frontages and the introduction of new street trees along the Britannia Street. The proposed landscape scheme, together with the retention of mature trees, seeks to integrate the development with the surrounding landscape setting and soften the appearance of the built form.

While the proposal seeks to introduce an at-grade car park and two-way driveway, these hardstand elements have been orientated away from both street frontages and will generally be screened from the streetscape by the proposed built form and landscape scheme.

Overall, the proposal is considered to provide a high quality visual outcome and positive contribution to the Woy Woy/Umina Landscape Unit. The proposal is unlikely to have a significant impact on the visual amenity or scenic quality of the site and area.

4.5.2 Privacy

Given the single-storey nature of the proposal and the proposed 1.8m solid fencing and screening plants along the western site boundary, the proposal will maintain the privacy of the occupants of the adjoining multi dwelling housing development whilst providing privacy within the site.

The proposal relies on a combination of 1.8m walls and screening plantings between and around private open space areas and along the street frontages to provide privacy for residents within the site. Given the orientation of the proposed units away from the internal driveway, no adverse privacy impacts are anticipated to arise from any potential future residential development of the Club site to the north.

No additional measures are considered to be required to maintain adequate levels of privacy.

4.5.3 Overshadowing and Solar Access

Overshadowing

As provided in the shadow diagrams at **Appendix 2** (see extract at **Figure 19** below), the proposed scale and height and separation from nearby dwellings are such that the proposal will not unreasonably impact on the levels of solar access which benefit nearby residential properties during the winter solstice, including to the west. The additional shadowing to the public domain during the winter solstice is considered to be negligible.

No specific measures are required or recommended to maintain adequate solar access to adjoining properties or the public domain.

Figure 19 - Extract of Shadow Diagrams - Winter Solstice



Solar Access

The site has some constraints in terms of its configuration and the need to position the driveway along the northern boundary away from both street frontages. To provide a highly functional layout that achieves a good level of overall amenity, including private open space areas directly accessible from living areas, and also provide passive surveillance opportunities over the street, living areas and private open space areas have been positioned away from the internal driveway which is positioned at the northern elevation. Accordingly, to maximise solar access, the units incorporate large clerestory windows above living areas. In addition, two of the units incorporate living areas with dual aspects and additional private open spaces at the eastern and western side elevations to provide residents with the opportunity to seek solar access to outdoor areas throughout the day.

Overall, having regard to the site configuration, the proposal is considered to provide an acceptable level of solar access to the proposed dwellings.

4.5.4 Traffic, Transport and Parking

A Traffic and Parking Assessment has been prepared for the proposal by Transport and Traffic Planning Associates (see **Appendix 11**).

The report notes that traffic activities in the near vicinity of the site are predominantly comprised of local access movements. Traffic volumes on Springwood Street past the site are relatively minor (northbound 174 AM and 109 PM and southbound 112 AM and 163 PM), and the volumes along Britannia Street are even less, being essentially limited to local property access movements. Site observations confirmed that the traffic conditions at the Springwood Street / Britannia Street intersection are quite satisfactory with no delays or congestion apparent.

With reference to the TfNSW 'Guide to Traffic Generating Developments' peak generation rate for medium density dwellings without convenient access to a railway station (0.4 – 0.5 vtpd per dwelling), the report finds that traffic generation of this minor magnitude will not present any difficulty or perceptible impact on the intersections in the vicinity of the site.

As detailed on the swept analysis plans appended to the report, the proposed development is capable of accommodating B85 vehicle movements with ingress / egress in a forward direction. The report finds that the design of the car parking areas is generally consistent with AS2890 and that satisfactory sight distances are available.

The proposal achieves Council's DCP parking rates for multi dwelling housing of 1.5 spaces per unit and 0.2 visitor spaces per unit providing two garage spaces per unit and one visitor space.

Overall, the report finds that the proposal will not present any adverse traffic implications, proposed parking provision are adequate and appropriate, and proposed vehicle access, internal circulation and servicing arrangements will be suitable and appropriate.

4.5.5 Waste Management

During the construction phase there will be a designated signposted area for storage of recyclable and non-recyclable waste within the site.

Domestic waste will be stored in the private utility areas adjacent to the street entrance path to each unit and collected as per current / recent practices. This site is serviced by standard residential waste bins collected from the street by Council's kerbside-collection service, as is typical for residential waste.

No adverse impacts associated with waste during the construction and operation phases are anticipated.

4.5.6 Tree Management

An Arboricultural Impact Assessment Report has been prepared by Urban Arbor Pty Ltd to assess the condition of 16 trees within 5m of the proposed works and the impacts of the proposal on these trees (see **Appendix 5**).

The Report involved a tree survey and condition assessment of the trees within and adjoining the site and includes an assessment of the structure, health, condition, useful life expectancy (SULE) and retention value of these trees.

Key findings of the report are as follows:

- Three trees (Trees 9, 11 and 12) have been recommended to be removed to accommodate the development works. Tree 9 (a semi mature *Liquidambar styraciflua*) was assessed as having a short SULE rating and a retention value of Z9 indicating that the tree is severely damaged and or has structural defects and is likely to be removed within 10 years. Tree 11 (a semi mature *Jacaranda mimosifolia*) had a long SULE rating and a retention value of Z2 indicating the tree is exempt from legal protection due to its proximity to the proposed works. Tree 12 (a semi mature *Cupressus spp*) had a medium SULE rating and a retention value of

Z10 indicating the tree is in poor condition or location with a low potential for recovery or improvement and is likely to be removed within 10 years.

- A further nine trees (Trees 1 - 8 and 10) were identified as potentially being impacted by the proposed development works and requiring tree sensitive design and construction, and/or root investigations to demonstrate that they can be retained in a viable condition. Canopy pruning of Tree 1 will also be required to accommodate the proposed building.
- The remaining four trees (Trees 13 - 16) were identified for retention in a viable condition.

The Report provided a number of recommendations to protect and manage trees to be retained and removed, the implementation of Tree Protection Zones to protect trees in proximity to proposed development, and mulching and planting around retained trees to improve soil aeration, soil moisture and to minimise the risk of trampling.

The landscaping documentation at **Appendix 3** demonstrates the extensive landscaping proposed around the site, including native tree species. This tree planting is considered to adequately compensate for the removal of 3 existing trees.

4.5.7 Stormwater Management

The proposal will result in an increase in impervious surfaces, which has the potential to impact on local hydrology and the performance of stormwater infrastructure in the road reserve and downstream. Additionally, runoff from hardstand areas has the potential to introduce additional pollutants into the catchment.

To mitigate such impacts, the proposed stormwater management design includes the following key components:

- Each unit will be served by a 2,500L rainwater tank collecting roof run-off from the new roof areas.
- Overflow from the rainwater tanks as well as runoff from hardstand areas will be contained by a proposed infiltration tank.
- Rainwater reuse is proposed for some toilet flushing and landscape irrigation.
- The design of the proposed system, including detention sizing, discharging requirements and selection of the stormwater treatment train has taken into account Council's requirements.

To ensure the success of the mitigation measures proposed, periodic maintenance will be required to ensure the ongoing effectiveness of the system.

4.5.8 Geotechnical, Earthworks and Soil Erosion and Sediment Control

No bulk earthworks are proposed due to the flat topography of the site and the proposed construction methodology. All earthworks for the development will be carried out in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*. The Douglas Partners geotechnical design parameters for footings for the different geotechnical conditions encountered at the site will be considered at the detailed design stage (see **Appendix 10**).

During construction, it is possible that disturbed surface material could run off from the site during heavy rainfall events causing pollution to local water courses. To reduce the likelihood of this occurring and mitigate impacts during heavy rainfall events, a soil erosion and sediment control plan

has been prepared (see **Appendix 4**). This plan has been prepared having regard the Landcom 'Blue Book' and adopts a range of measures suitable for the scale and type of project proposed.

Implementation of such measures for the duration of the construction period will appropriately mitigate the risk of sediment running from the site in an uncontrolled manner.

4.5.9 Contamination

Refer to the discussion at Section 4.3.4.1 of this SEE.

4.5.10 CPTED

CPTED is a recognised model which provides that, if development is appropriately designed, it can reduce the likelihood of crimes being committed. It is anticipated that introducing CPTED measures within the design of the development will assist in minimising the incidence of crime and will contribute to perceptions of increased public safety.

The proposal involves the redevelopment of three currently underutilised allotments for more intense residential purposes, offering a high level of activity, casual surveillance and ultimately resident, visitor and community safety within the site and surrounding area. It will also provide appropriate lighting and security measures to protect the safety of residents, visitors and the local community.

The safety and security of all residents and visitors (including the perception of safety and security that the development will provide) is of paramount importance to the amenity of the development.

The 4 principles which guide CPTED are considered below. Based on the below measures, it is envisaged that the development can be appropriately managed to minimise the potential risk of crime and to maximise public safety.

Principle	Measures proposed
<u>Surveillance:</u> <i>Crime targets can be reduced by effective surveillance, both natural and technical.</i>	<ul style="list-style-type: none"> ▪ New activity in a predominately vacant site will increase natural surveillance of the surrounding area. Outdoor terraces and individual unit entrances overlook the public realm to assist in prevention and also to promote detection of antisocial activity and opportunistic criminal activity. ▪ Provision of uninterrupted sight lines and limited visual barriers and hiding spots at both ground level frontages to reduce potential for undetected criminal and / or unsocial activity. ▪ Promotion of increased activity within the locality during both weekdays and weekends. ▪ CCTV will be utilised as appropriate for the entrances to the site and will be further considered in later detailed design stages. ▪ Effective lighting will be provided as a part of the detailed design process to ensure that an appropriate balance for lighting public areas and internal spaces within the site without creating excessive glare or opportunities for concealment.
<u>Access Control:</u> <i>Barriers to attract/restrict the movement of people minimises opportunities for crime and increases the effort required to commit crime.</i>	<ul style="list-style-type: none"> ▪ Electronic security mechanisms will be provided to control access as appropriate to the driveway outside of daytime hours. ▪ Pedestrian accesses to each unit are clearly defined and easily identifiable to channel people directly into each unit and minimise opportunities for crime. ▪ No through site links are proposed.

Principle	Measures proposed
<u>Territorial Reinforcement:</u> <i>Well-used places reduce opportunities for crime and increase risk to criminals.</i>	<ul style="list-style-type: none"> ▪ Clear distinction is provided between public and private areas of the development. ▪ Providing clear visual distinction to appropriately demarcate entrances will ensure the public, semi public and private realm are clearly distinguishable. ▪ Use of signage and other physical cues to help people find their way around the development easily.
<u>Space Management:</u> <i>Space which is appropriately utilised and well cared for reduces the risk of crime and antisocial behaviour.</i>	<ul style="list-style-type: none"> ▪ Development of space management strategies to include ongoing site maintenance, landscaping, graffiti removal etc.

4.6 Suitability of the Site

The subject site is considered suitable for the proposed development for the following reasons:

- The site's proximity to high-amenity recreational areas, services, local town centres and public transport infrastructure make it suitable for the development of a more intense form of housing;
- The proposed development is compatible with the established residential use in the area;
- The proposal complies with the principal development standards applicable to the site;
- The scale and intensity of the development is consistent with the existing built form and uses adjacent to the site, and the desired future character of the area;
- The likely impacts of the proposal on the surrounding environment will be minimal and, similarly, identified environmental impacts can be mitigated during detailed design and construction;
- The proposal is generally compliant with the statutory planning framework applicable to the site and intended use.

4.7 The Public Interest

Pursuant to case law of *Ex Gratia P/L v Dungog Council* (NSWLEC 148), the question that needs to be answered is "Whether the public advantages of the proposed development outweigh the public disadvantages of the proposed development".

There are no unreasonable impacts that will result from the proposed development and it will respect the character of the local area in terms of scale, materiality and built form. Therefore, the benefits of approving a relatively minor increase in built form and land use intensity outweigh any disadvantage and, as such, the proposed development will have an overall public benefit and therefore approval is thought to be in the public interest.

5 Conclusion

This report provides an assessment of the proposed multi-dwelling housing development in accordance with the provisions of S.4.15 of the EP&A Act 1979. In this respect this report has addressed all relevant environmental planning instruments including Central Coast LEP 2022 and relevant guidelines including the Central Coast DCP 2022.

In evaluating the proposed development against the relevant statutory planning framework applicable to the site and proposed development, it is evident that the likely impacts of the proposed development will be acceptable. Additionally, in considering the environmental characteristics of the site and scale the proposed development, the site can suitably accommodate the proposal.

On this basis the proposal is considered to be in the public interest and can be approved.