

STATEMENT OF ENVIRONMENTAL EFFECTS

**HEALTH SERVICES FACILITY
(CONSULTING ROOMS), ASSOCIATED
CIVIL WORKS, LANDSCAPING AND
PROPOSED DEMOLITION OF EXISTING
DWELLING HOUSE**

**5 VIDLER AVENUE, WOY WOY,
NSW, 2256**

(LOT 5, DP23987)



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EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Landmark Homes (the client) to prepare a Statement of Environmental Effects (SEE) for proposed health services facility (health consulting rooms), associated civil works, landscaping, and demolition of existing dwelling house over 5 Vidler Avenue, Woy Woy, NSW 2256 (LOT: 5 DP23987) (**'the site'**).

The site is zoned R1 – General Residential under the Central Coast Local Environmental Plan 2022. The proposed land use being *health services facility* is a prohibited land use pursuant to Clause 2.3 and the Land Use Table of the CCLEP. The land use has permissibility pursuant to Clause of 2.59 and 2.60 the *Statement Environmental Planning Policy (Transport and Infrastructure) 2021*. Clause 2.59 identifies the R1 Zone as a prescribed zone for the development of a health services facility, which includes health consulting rooms. Pursuant to Clause 2.59 of the ISEPP:

- 1) *Development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone*

The proposed development will consist of the following characteristics:

- a) Demolition of the existing dwelling house.
- b) Construction of two storey health services facility consisting of five health consulting rooms with Room 1 comprising a private procedure room; shared day surgery/procedure room, lift, reception; office; conference room; kitchen and amenities.
- c) Construction of a new access from Vidler Avenue;
- d) Construction of new car parking area on the ground floor consisting of nine parking spaces and one disabled parking space.
- e) Access via a double-width crossover from Vidler Avenue.
- f) Landscaping.

The operational details of the proposed development are as follows:

Staff numbers – 5 health practitioners and 1 receptionist.

Operating hours

- Monday – Friday 8:30am – 5pm
- Saturday and Sunday – closed

The development is considered suitable because of:

- The site is appropriately zoned R1 General Residential which is prescribed zone pursuant to Clause 2.59 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* which facilitates the construction of the development and permissibility of the health services facility (health consulting rooms);

- Development of the site will directly benefit the community through providing additional health services to meet the needs of the growing community population;
- The development can manage or mitigate any environmental impacts by implementing the recommendations from the TIA and CPTED assessments;
- The development will have a positive economic impact with the creation of short term jobs during construction and improving long term profitability of the operating business which will provide direct monetary input into the local economy and likely to have a positive impact on the municipality; and
- The land has the capacity to accommodate the development on site whilst maintaining or mitigating potential environmental issues.

The SEE will expand on those matters that have been summarised above to assist Council in completing a detailed assessment of the proposal development. We look forward to Council's determination of this matter.

TERMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
CPTED	Crime Protection Through Environmental Design
EPA	Environment Protection Authority
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
DA	Development Application
DCP	Development Control Plan
LEP	Local Environmental Plan
LGA	Local Government Area
PSI	Preliminary Site Investigation
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects

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PLANS AND SUPPORTING DOCUMENTATION

This SEE is supported by the following plans and documentation:

Appendix	Document	Prepared by	Reference
1.	EP&A Regulation Compliance Table	Perception Planning	N/A
2.	DCP Compliance Table	Perception Planning	Ref: J002941, Rev: 1 and dated 16 December 2022
3.	Title, Deposited Plan & 88B	N/A	N/A
4.	Waste Minimisation Management Plan	Perception Planning	Ref: J0022941, Rev: 1 and dated 14 December 2022
5.	Crime Protection Through Environmental Design (CPTED)	Perception Planning	Ref: J002941, Rev: 1 and dated 22 December 2022
6.	AHIMs Search Results	Perception Planning	Dated 27 October 2022
7.	BYD Search Results	Before You Dig	Dated 27 October 2022
8.	Architectural Plans	Rap Drawing	Ref: Morris, and dated 13 December 2022
9.	Stormwater and Civil Engineering Plans	DRB Consulting Engineers	Ref: 221732, Rev: A and dated 24 October 2022
10.	Traffic Impact Assessment	Amber Traffic & Transportation Direction	Ref: 525 rep 221214, Rev: final and dated 14 December 2022
11.	Access Report	Lindsay Perry Access	Ref: LP_22347, Rev: 1 and dated 12 November 2022

12.	Cost Estimate Report	Landmark Homes	Dated 18 November 2022
13.	Building Code of Australia (BCA) Assessment	Perception Planning	Ref: J002942, Rev: 1 and dated 28 April 2022
14.	Record of Pre-development Advice	Central Coast Council	Dated 29 August 2022
15.	Geotechnical and Acid Sulfate Assessment	C K Geotech Pty Ltd	Ref: CKG 1021, Rev: 1 and dated 7 November 2022

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1 BACKGROUND

1.1 PURPOSE

The purpose of this Statement of Environmental Effects (SEE) is to assist Council in their assessment and determination and to assist the community in understanding the proposed development.

This SEE has been prepared in coordination with Landmark Homes (**‘the client’**) and other sub-consultants to demonstrate the relevant matters associated with in the proposed development. The SEE examines the existing development and site location, how the proposed development relates to the location and the environment, as well as the planning merits of the development with respect to the relevant legislation, regulation and other requirements. The SEE examines the applicable site attributes and the specifics of the development proposal that are appropriate to the development application stage. The SEE seeks to provide all the relevant data to give a suitable level of certainty to the consent authority that the proposal has a positive impact on the immediate area and the wider surrounds.

This SEE has been prepared in accordance with best practice principles, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure’s (now the Department of Planning, Infrastructure and Environment) guide to the *Environmental Planning and Assessment Act* (EP&A Act) 1979 (s4.15).

The objectives of this SEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s; and
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.

1.2 SITE DETAILS

Property Address	5 Vidler Avenue Woy Woy, NSW 2256
Lot and DP	LOT: 5 DP23987
Current Use	Residential
Zoning	R1 – General Residential
Size (Lot Area)	670m ²
Site Constraints	ASS Class 3 Height of Building – 8.5m Floor Space Ratio – 0.5:1 Minimum Lot Size – 550m ² Flood Planning Area – Precinct 2 and partially Flood Storage Precinct 3
Owner	Owner's consent has been provided on the Application Form for the DA.
DP and 88B Instrument	Nothing on the DP or 88B instrument prohibits the proposed development. The DP and 88B instrument is provided at Appendix 3 .

1.3 SITE DESCRIPTION

The site is located at 5 Vidler Avenue, Woy Woy, NSW, 2256 (LOT: 5 DP23987) (**'the site'**) and has a total area of 670m² (**FIGURE 1**). The site is located in Woy Woy, within the Central Coast Council Local Government Area (LGA). The site is approximately 670m² in area, rectangular in shape with a relatively level topography.

The built form on the property consists of a single residential dwelling. Surrounding the dwelling is managed lawns and garden beds. There are no watercourses present on the site.

The adjoining allotment to the south is an existing Medical Centre with multiple tenancies, Brisbane Waters Private Hospital is located further south at 21 Vidler Avenue. Directly adjoining the subject site to the north and west are residential dwellings.

A Before You Dig was conducted on 28 October 2022. The Search identified that the site is connected to overhead electricity, reticulated water and sewer and telecommunications. A Council sewer pressure main is located within proximity of the development site.

The site is situated on the west side of Vidler Avenue, approximately 70m from the intersection of Rawson Road. Access to the allotment is via a concrete driveway from Vidler Avenue. Vidler Avenue is identified as a local government road and is the responsibility of Central Coast Council.

Figure 1 - Locality Plan (Source: Near Maps, Aerial Image October 2022)



1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The site is currently occupied by a single residential dwelling under historic approval. The Central Coast Council Development Application Tracker website identifies recent approvals as listed below:

Table 1 – Existing Development Determinations

Application No.	Application Type	Lodgement Date	Details
DA/43423/2013	Development Application	20/02/2013	Alterations & Additions to Medical Centre & Demolition of Existing House

No known compliance matters exist over the site which would pose issues for the proposed development.

2 DESCRIPTION OF THE DEVELOPMENT

2.1 PROPOSED DEVELOPMENT

The objective of the proposed development is to obtain development consent for a health services facility (consulting rooms), associated civil works and landscaping and proposed demolition of the existing dwelling house on the site. **Figures 2 – 4** below show the proposed development with Architectural Plans contained as **Appendix 8**.

The characteristics of the development include:

1. Demolition of the existing dwelling house.
2. Construction of a two storey health services facility consisting of five health consulting rooms with Room 1 comprising a private procedure room; shared day surgery/procedure room, lift, reception; office; conference room; kitchen and amenities.
3. Construction of new car parking area on the ground floor consisting of nine parking spaces and one disabled parking space.
4. Access via a double-width crossover from Vidler Avenue.
5. Landscaping.

The operational details of the proposed development are as follows:

Staff numbers – 5 health practitioners and 1 receptionist.

Operating hours

- Monday – Friday 8:30am – 5pm
- Saturday and Sunday – closed

Health professionals – There will be a total of five health consulting rooms in the building. Rooms 2 – 5 will share the day surgery/procedure room located towards the western portion of the building, whilst Room 1 will consist of a private procedure room. The intention for the site is to accommodate a mixture of Allied Health professionals which may consist of:

- Psychologist
- Podiatrist
- Physiotherapist
- Osteopathy
- Audiology
- Chiropractic

At this time, the specific medical field that will be practiced in each of the consulting rooms is undetermined.

The key reasons why the proposed development is acceptable are as follows;

- The site is appropriately zoned R1 General Residential which is prescribed zone pursuant to Clause 2.59 of the SEPP which facilitates the construction of the development and permissibility of the health services facility (health consulting rooms);
- The development is consistent with adjoining land uses to the south;
- Development of the site will directly benefit the community through providing additional health services to meet the needs of the growing community population;
- The development will have a positive economic impact with the creation of short term jobs during construction and improving long term profitability of the operating business which will provide direct monetary input into the local economy and likely to have a positive impact on the municipality;
- No adverse impact on the existing character or amenity of the area will result; and
- The land has the capacity to accommodate the development on site whilst managing or mitigating potential environmental issues.

The proposed development will provide a well-coordinated and sustainable development with no foreseeable impact on the character of the surrounding area. This DA is consistent with the planning framework and has the potential to deliver triple-bottom line outcomes as envisaged by Central Coast Council.

Figure 2 - Proposed Site Plan (Source: Rap Drawing, 2022)

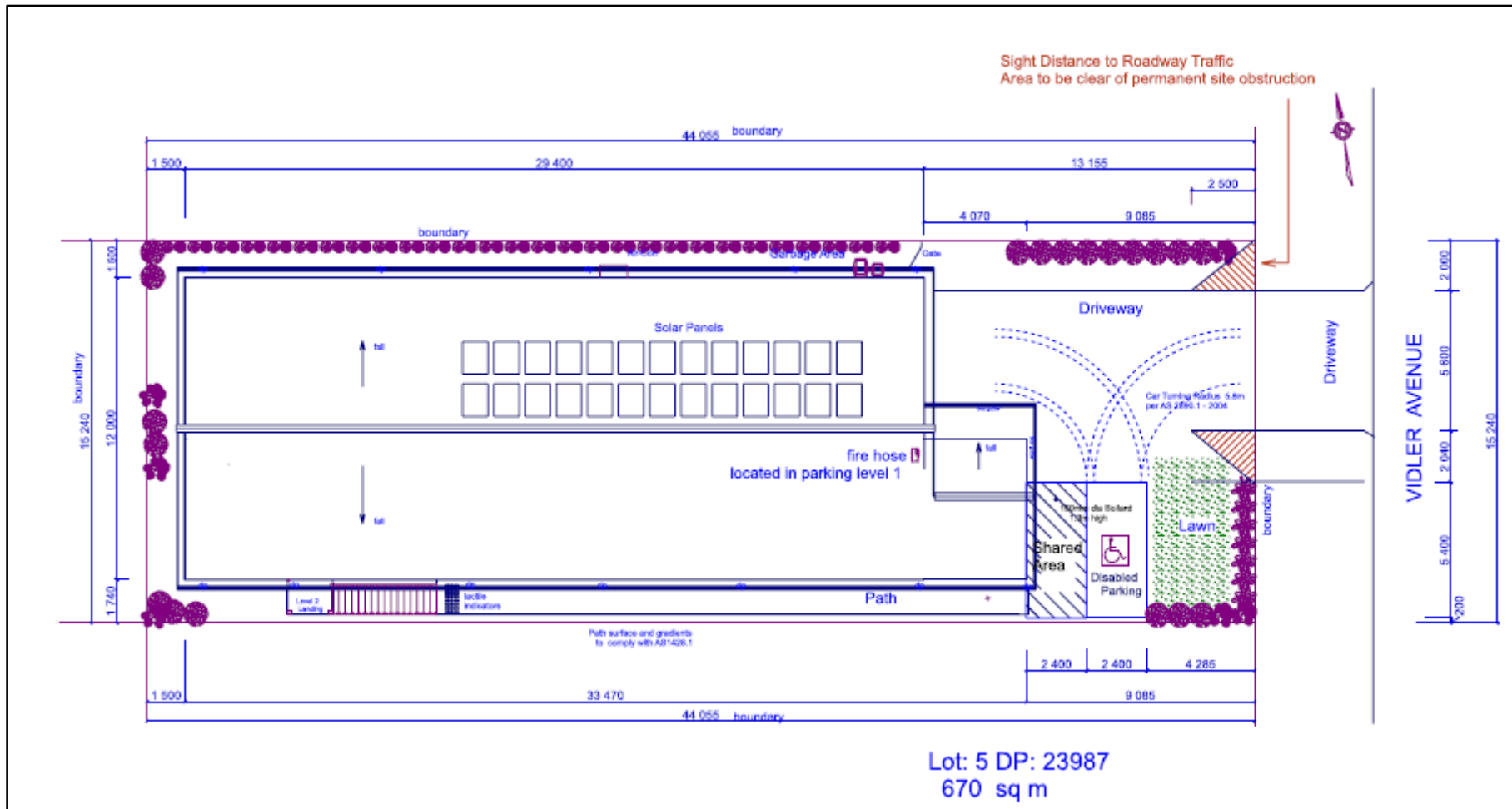
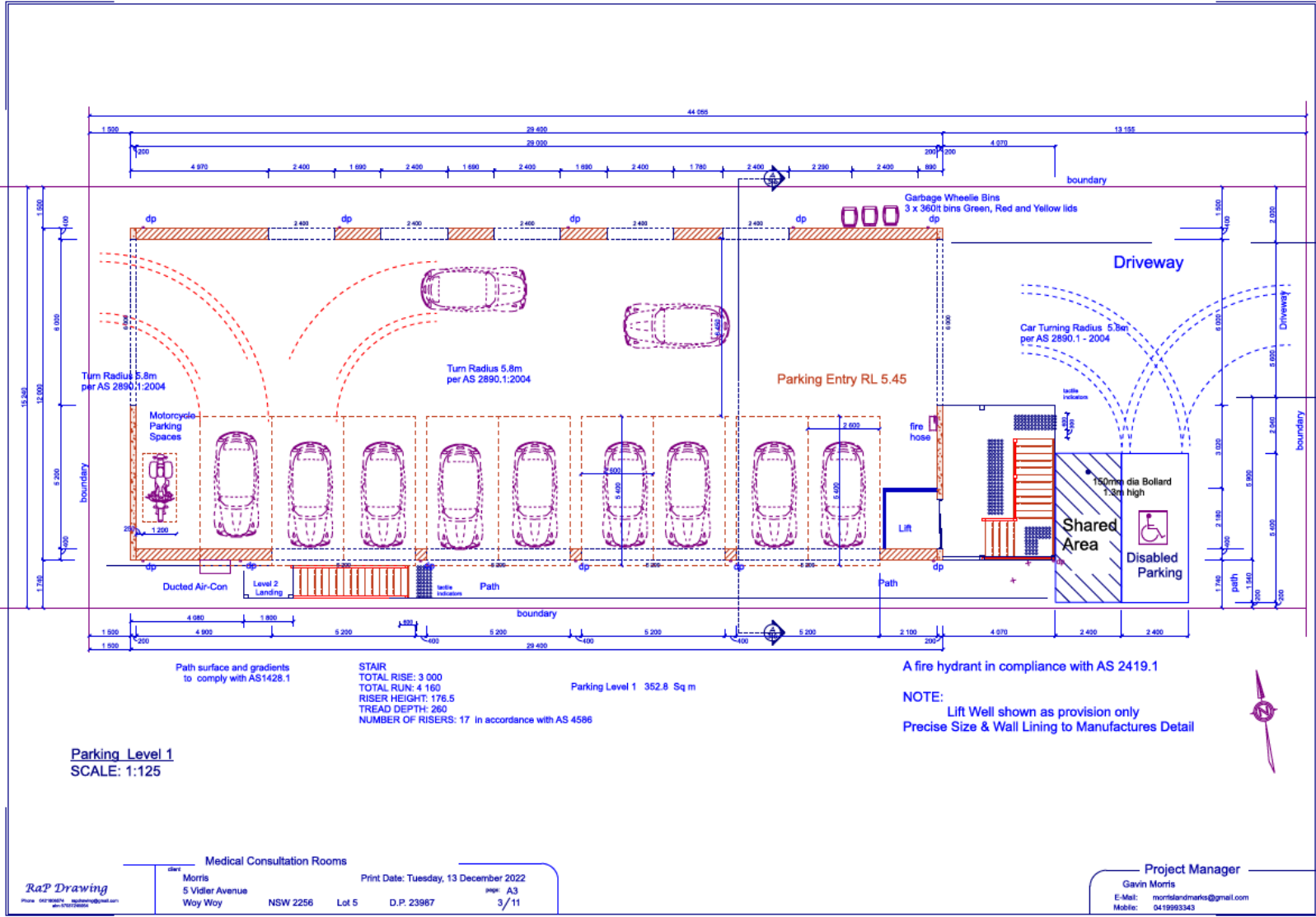


Figure 3 - Proposed Ground Floor Plan (Source: Rap Drawing, 2022)



Dimensions are in millimetres * Figured dimensions to be taken in preference to scale * Levels and dimensions to be verified prior to construction * All work to comply to Council regulations.

3 PLANNING CONTROLS

3.1 ACTS

All NSW Acts have been considered in the preparation of this SEE. The following Acts are considered relevant to the proposed development and discussed in further details below:

- *Environmental Planning and Assessment Act 1979*
- *Biodiversity Conservation Act 2016*
- *Water Management Act 2000*
- *Protection of Environmental Operations Act 1997*

3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the principal planning and development legislation in NSW and is applicable to the proposed development. 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 further detail in separate sections of this SEE below.

- **Section 4.46 – What is integrated development?**

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the approvals listed within **Table 2** below. The proposed development is not identified as integrated development.

- **Section 7.11 – Development Contributions**

Development contributions will be required to be calculated and charged in accordance with the Central Coast Contributions Plan (CP) where applicable.

3.1.2 BIODIVERSITY CONSERVATION ACT 2016

The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The site within the development area is not mapped on the NSW Biodiversity Values Map and does not occur within an Area of Outstanding Biodiversity Value (ABOV). The proposal does not require the clearing of native vegetation as such, no further investigation is required.

3.1.3 WATER MANAGEMENT ACT 2000

The subject site is not located within a Drinking Water Catchment. Given the works are located within 40m of mapped blue lines present on the site, it is understood that NRAR referral will be required. During rainfall events, surface runoff from the proposed developments impervious areas will be collected in rainwater tanks and subsurface pit and pipe networks

before being directed to an end of line biofiltration basin. Outlet flows and overflows from the raingarden will be directed to the back of kerb in Vidler Avenue.

3.1.4 PROTECTION OF ENVIRONMENTAL OPERATIONS ACT 1997

The object of the Act is to achieve the protection, restoration and enhancement of the quality of the NSW environment. Schedule 1 of the PoEO Act lists scheduled activities for which a licence is required for the premises. The proposed development is not identified as a scheduled activity under Schedule 1 of the Act.

Table 2 - Integrated development

Integrated development	Proposed Development	
Fisheries Management Act 1994	<ul style="list-style-type: none"> ▪ s 144 ▪ s 201 ▪ s 205 ▪ s 219 	N/A
Heritage Act 1977	<ul style="list-style-type: none"> ▪ s 58 	N/A
Coal Mine Subsidence Compensation Act 2017	<ul style="list-style-type: none"> ▪ s 22 	N/A
Mining Act 1992	<ul style="list-style-type: none"> ▪ s 63, 64 	N/A
National Parks & Wildlife Act 1974 (as amended)	<ul style="list-style-type: none"> ▪ s 90 	<p>No – Development is not integrated development in respect of an Aboriginal heritage impact permit required under Part 6 of the National Parks and Wildlife Act 1974 unless –</p> <ul style="list-style-type: none"> a. an Aboriginal object referred to in that Part is known, immediately before the development application is made, to exist on the land to which the development application applies, or b. the land to which the development application applies is an Aboriginal place within the meaning of that Act immediately before the development application is made <p>An AHIMs Search has been carried out for the site and is provided at Appendix 6. The AHIMs Search identifies that no Aboriginal sites have been declared on or near the site (within 200m). Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.</p>

Protection of the Environment Operations Act 1997	<ul style="list-style-type: none"> ▪ ss 43(a), 47, 55 ▪ ss 43(b), 48, 55 ▪ ss 43(d), 55, 122 	N/A
Roads Act 1993	<ul style="list-style-type: none"> ▪ s 138 	N/A
Rural Fires Act 1997	<ul style="list-style-type: none"> ▪ s 100B 	N/A
Water Management Act 2000	<ul style="list-style-type: none"> ▪ ss 89, 90, 91 	No – The development will not occur within 40m of the mapped watercourse, referral to the Natural Resource Access Regulator as integrated development is not required as part of this application.

3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

All State Environmental Planning Policies (SEPPs) have been considered. The following SEPPs are considered relevant to the proposed development and discussed in further detail below.

- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*

3.2.1 SEPP (BIODIVERSITY AND CONSERVATION) 2021

Chapter 3 - Koala Habitat Protection 2020

This Chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. This SEPP applies to land identified within Part 3.2, Section 3.5 and LGA's specified within Schedule 2.

The SEPP applies to the Central Coast Local Government Area (LGA). In accordance with Section 3.8, the council's determination of the development application must be consistent with the approved koala plan of management that applies to the land.

Central Coast is part of the Central Coast Koala Management Area (KMA 2). The proposed development does not seek to remove koala feed trees; thus impact is negligible, and compliance with the SEPP is expected.

3.2.2 SEPP (RESILIENCE AND HAZARDS) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) consolidates, transfers, and repeals the provisions of three (3) SEPPs into a single environmental planning instrument, including: the SEPP (Coastal Management) 2018 (Coastal Management SEPP), SEPP 33 – Hazardous and Offensive Development (SEPP 33), and SEPP 55 – Remediation of Land (SEPP 55).

The Resilience and Hazards SEPP aims to promote the protection and improvement of key environmental assets for their intrinsic value and the social and economic benefits they provide.

Chapter 2 – Coastal Management

The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*, including the management objectives for each coastal management area, by—

- (a) *managing development in the coastal zone and protecting the environmental assets of the coast, and*
- (b) *establishing a framework for land use planning to guide decision-making in the coastal zone, and*
- (c) *mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

The site does not contain areas mapped as any of the four coastal management areas above. As such, the Coastal Management Act 2016 does not apply to this development.

Division 1 Coastal Wetlands and littoral rainforest area

The site is not identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map, therefore, assessment of this Division is not required.

Division 3 Coastal environment area and Division 4 Coastal use area

The site is not located within a Coastal environment Area and Coastal use Area under the SEPP (Resilience and Hazards) 2021, therefore, assessment of this Division is not required.

Chapter 4 Remediation of Land

The object of this Chapter is to provide for a State-wide planning approach to the remediation of contaminated land.

In accordance with Clause 4.6 a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. Where the land is contaminated a consent authority must determine if the land is suitable in its contaminated state for the development, or alternatively determine that the land would be suitable once remediated.

A review of the Environment Protection Authority (EPA) contamination register confirms that no contamination, the subject of regulation by the EPA, is identified on the site. The subject site is used for residential purposes and there is no evidence that contaminating activities have historically occurred on site. As such, the land is unlikely to be subject to contamination and does not warrant further investigation.

The existing dwelling contains asbestos and will be removal will be undertaken by a licenced asbestos contractor and in compliance with the NSW Government Workcover How to Safely Remove Asbestos Code of Practice 2019.

The subject site is suitable for the proposed development and the objectives of Chapter 4 have been satisfied.

3.2.3 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

The purpose of the Infrastructure SEPP is to facilitate the effective delivery of infrastructure across the state and identify matters to be considered in the assessment of developments adjacent to types of development.

Part 2.3 of the SEPP provides development controls for the delivery specified infrastructure in prescribed zones. Division 10 provides the development controls related to *health services facilities* within a prescribed zone. Pursuant to Clause 2.60 the R1 General Residential site is a prescribed zone for the development purpose of a health services facility. A health services facilities is defined as:

a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following—

- (a) a medical centre,*
- (b) community health service facilities,*
- (c) health consulting rooms,***
- (d) patient transport facilities, including helipads and ambulance facilities,*
- (e) hospital.*

Accordingly, pursuant with Clause 2.60 (1) development for the purpose of health services facilities may be carried out by any person with consent.

The proposed development types permitted on the land are not classified as traffic generating development in accordance with Schedule 3. Thus, the provisions of Clause 2.121 are not applicable to the development. Accordingly, a traffic impact assessment is not required and referral to Transport for NSW is not triggered.

The proposed development is not in the vicinity of a pipeline corridor and therefore does not trigger referral to any pipeline operator pursuant to Clause 2.76. The proposed development is greater than 5m from any overhead powerline, thus referral to the electricity supply authority is not triggered under Clause 2.48.

Further assessment against the Infrastructure SEPP is not required.

3.2.4 STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 Advertising and Signage

This Chapter aims to ensure that signage is compatible with the desired amenity and visual character of an area and provides effective communication in suitable locations which is of high-quality design and finish.

Signage is not proposed as part of this application. Accordingly, further assessment against the Industry and Employment SEPP is not required.

3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

The following parts of the Central Coast LEP 2022 apply to the proposed development:

- **Clause 2.3 – Zone Objectives and Land Use Table**

The site is zoned R1 – General Residential under the Central Coast LEP 2022. The proposed development is seeking consent to construct a health services facility (health consulting rooms).

In accordance with Clause 2.3 and the Land Use Table a health services facility is a prohibited land use. However, as detailed in Section 3.2.3 of this SEE, a health services facility is permissible within the R1 zone under the provisions of the State Environmental Planning Policy (Transport and Infrastructure) 2021. Accordingly, development for the purpose of health services facilities may be carried out by any person with consent.

The objectives of the R1 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.*

A key objective of the R1 zone is to enable other land uses that provide facilities or services to meet the day to day needs of residents. The proposed health services facility will provide primary medical services and allied health services to serve the needs of the local community and broader district without adversely impacting surrounding residential land use. In addition, the proposed facility will provide employment opportunities for professional medical practitioners and administration jobs in the community. It is considered that the proposed development supports the objectives of the zone.

The objective of the SEPP is to facilitate the provision of infrastructure and services across NSW in compatible areas. Considering that the proposed development is permissible in the R1 zone under the provisions of the SEPP and meets the objectives of this zone, along with

the understanding of other associated services located within proximity of the development, it is believed that the proposal is compatible with the established character of the area and should be considered for approval.

- **Clause 2.7 – Demolition requires development consent**

The application includes demolition of the existing dwelling on the land. Demolition is included within the application in accordance with the requirements of this clause.

- **Clause 4.1 – Minimum subdivision lot size**

Pursuant CCLEP, the site is subject to a minimum lot size of 550m². The proposed development does not involve subdivision.

- **Clause 4.3 – Height of Building**

Pursuant CCLEP, the site is subject to a maximum building height of 8.5m. Accordingly, the development is compliant with this development standard. As detailed within the Architectural plan series, the proposed development will display a maximum height of 6.45m measure from natural ground level. To this extent, the proposed development is considered to meet the objectives of Clause 4.3.

- **Clause 4.4 – Floor Space Ratio**

The FSR of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. The maximum floor space ratio of the site is prescribed by the LEP as 0.5:1. The site measure 670m² therefore, the maximum Gross Floor Area for the site is 335m².

The calculation of the FSR for the proposed development is as follows:

Site Area	670m ²
Main Floor	345.4m ²
Lift and Storage	13.4m ²
Gross Floor Area	332m ²
Proposed FSR	0.495:1

Therefore, the proposed development will not cause any exceedance of the prescribed FSR.

- **Clause 5.10 – Heritage conservation**

The subject site is located is not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

An AHIMs Search has been carried out for the site and is provided at **Appendix 6**. The AHIMs Search identifies that no Aboriginal sites have been declared on or near the site (within 200m). Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.

- **Clause 5.21 – Flood planning**

Review of the Central Coast Flood Maps identify a small portion of the site as being flood prone land. As detailed within the Pre-Development Advice prepared by Central Coast Council the flood planning level (minimum floor level) for the site is 5.37m AHD. The proposed development layout has taken this into consideration, with the finished floor level of the main floor set at RL 8.35m AHD. Accordingly, it is identified that the proposed finished floor level is set at above the required flood planning level. The proposed ground floor is a non-habitable area and located at RL 5.84 as recommended by Council.

In addition to the set floor level, the construction of the development will meet the National Construction Code and the structural integrity to ensure the building can withstand the relevant flood hazard.

The proposal will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. To this extent the proposed development is compatible with the flood behaviour on the land. It is believed that there is no reason to refuse the application on the premise of flood planning.

A record of the Pre-DA meeting advice is contained as **Appendix 14**.

- **Clause 7.1 – Acid Sulphate Soils**

The objective of clause 7.1 is to ensure that development does not disturb, expose or drain acid sulfate soils (ASS) and cause environmental damage. The proposed development is located within the area identified as containing Class 3 ASS. The proposal will not involve works by which the watertable is likely to be lowered therefore, it is considered that an ASS Management plan is not required during earthworks associated with the proposed development. Please refer to the Geotechnical Assessment contained as **Appendix 15** for further details.

- **Clause 7.6 – Essential Services**

This Clause specifies that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required.

Electricity, telephone and physical, legal and emergency service are available to and from the site. The site has access to reticulated (town) water supply and reticulated sewer services. Vehicular access to the site will be via Vidler Avenue.

3.4 DEVELOPMENT CONTROL PLAN (DCP)

Consideration of compliance and/or consistency with the relevant provisions of the Central Coast DCP 2022 is provided in the Table of Compliance provided at **Appendix 2**. The Table of Compliance identifies that the proposed development demonstrates compliance with the relevant provisions of the DCP or overarching objectives where variations are proposed.

There are no specific controls for health services facilities under Central Coast DCP 2022 therefore, the proposed development will be assessed on merit.

4 LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the proposed development and constraints affecting the subject site have been explored throughout this SEE. The following sections detail the major potential impacts and constraints in greater detail, in accordance with Section 4.15(1) of the EP&A Act 1979.

4.1 BUILT ENVIRONMENT

4.1.1 CONTEXT, SETTING AND VISUAL IMPACT

The proposed development has demonstrated consistency of the surrounding locality through the environmental planning regulations. The design has been carefully considered and provides a contemporary built form which reinforces and enhances the visual character of the street. The building proportion is complimentary to the form, proportion and massing of existing building patterns along Vidler Avenue.

The proposed Landscape works within the front setback compliment the appearance and scale of the development and contribute to the desired streetscape character. The proposal is compatible with the objectives of the Central Coast Development Control Plan 2022 (CCDCP 2022). It is believed the development. There are no anticipated adverse impacts on the built environment as a result of the proposed development.

4.1.2 ACCESS, TRANSPORT AND TRAFFIC

Access to the site will be via a new vehicular access from Vidler Avenue. The access has a proposed width of 5.6 metres to accommodate simultaneous two-way vehicle movement which complies with AS/NZS 2890.1:2004 and the Development Control Plan. A pedestrian sight splay is proposed on both sides of the access, which extends 2 metres along the site frontage from the edge of the ramp and 2.5 metres along the access from the site frontage, to provide a clear view of pedestrians on the footpath adjacent to the site. Vidler Avenue displays a relatively flat and straight alignment therefore, the available site distances significantly exceeds the requirement of AS/NZS 2890.1:2004.

Vidler Avenue is identified as a local road with a carriageway width of approximately 11 metres which accommodates two-way vehicle movement and kerbside parallel parking on both sides of the road. It has a speed limit of 50km/hr. Footpaths are provided on both sides of all roads within the vicinity of the site. The site has access to the public transport network via the bus routes that operate along Ocean Beach Road, with bus stops provided on both sides of the road approximately 300 metres walking distance west of the site. The proposed development will not impact the existing road network.

The proposed development consists of a health services facility with 5 consulting rooms. The premises will accommodate a maximum of five professional practitioners and one receptionist. A total of ten parking spaces are proposed onsite, including one disabled parking space accessed via Vidler Avenue. Accordingly, the proposed development has a statutory parking requirement of 21 spaces. A total of 10 parking spaces are proposed on-site which results in a parking reduction of 11 spaces.

A Traffic Management Plan has been prepared by Amber to assess the carparking shortfall with Central Coast DCP. As detailed within the assessment, the site is expected to generate a total parking demand of 16 spaces. As there are 10 parking spaces provided on-site the site is expected to generate an off-site parking demand of up to 6 spaces. Car parking occupancy surveys set out in Section 2.3 indicated that a minimum of 6 on-street spaces were available in close proximity to the site, and no fewer than 73 spaces were available within 200 metres of the subject site. It is considered that the available on-street parking is sufficient to meet the expected overspill parking of up to 6 spaces. Overall, it is expected that the on-site parking provision and availability of on-street parking is suitable to accommodate the expected parking demand of the site and as such, the parking reduction of 11 spaces is concluded to be acceptable. To this extent, the proposed parking supply is adequate to accommodate the additional demands associated with the proposed health consulting rooms.

Please refer to the Traffic and Parking Assessment contained as **Appendix 10**.

The proposed development is not considered traffic generating development under the Transport and Infrastructure SEPP. It is considered that the road network has sufficient capacity to accommodate the increase in traffic movements generated by the development and appropriate sight lines are available for safe ingress and egress.

The development is not anticipated to have any significant adverse impacts on access, transport or traffic.

4.1.3 PUBLIC DOMAIN

The proposed development will not have any negative impacts on any public domain. The development contributions derived from this development will provide infrastructure and public domain improvements in accordance with Central Coast framework.

4.1.4 SERVICES

A Before You Dig was conducted on 28 October 2022. The Search identified that the site is connected to overhead electricity, reticulated water and sewer and telecommunications. A Council sewer pressure main is located within proximity of the development site.

4.1.5 NOISE AND VIBRATION

There will be a total of five health consulting rooms in the building. Rooms 2 – 5 will share the day surgery/procedure room located towards the western portion of the building, whilst Room 1 will consist of a private procedure room. The premises is proposed to operate between 8:30am to 5:00pm Monday to Friday.

The intention for the site is to accommodate a mixture of Allied Health professionals which may consist of:

- Psychologist
- Podiatrist
- Physiotherapist
- Osteopathy
- Audiology
- Chiropractic

The daily operations of these health professions are unlikely to produce unreasonable levels of noise that would have an impact on sensitive receivers in the area, specifically the residential dwelling to the north of the site.

Land south of the site is zoned SP2 – Infrastructure and is occupied by a number of hospitals and medical facilities, including Brisbane Waters Private and Woy Woy Public Hospital. Land immediately west of the site is zoned IN1 – General Industrial and is occupied by a range of warehouse, industrial, and commercial properties. The surrounding land uses will not be unduly impacted by noise during the proposed operating hours. The proposed development is unlikely to result in any adverse impacts that require mitigation. Adverse vibrational impacts are not anticipated. To this extent, incompatible or adverse noise impacts have been identified as unacceptable in this location.

4.2 NATURAL ENVIRONMENT

4.2.1 ECOLOGICAL

The proposed development does not require any significant vegetation removal. It is not anticipated that the development will negatively impact the ecological environment.

4.2.2 LANDSCAPING

The proposed landscaping and plant choice is considered sufficient for the proposed development. The addition of landscaping within the front setback of the site will enhance the design and built form.

4.2.3 ARCHAEOLOGY

An AHIMs Search has been carried out for the site and is provided at **Appendix 6**. The AHIMs Search identifies that no Aboriginal sites or places have been declared on or near the site (within 200m). It is reasonable to conclude that there is a low probability of objects occurring in the area of the proposed development. The proposal does not seek to destroy, deface, damage or move an object from the land. The area of the proposed development is located in an existing disturbed area and unlikely to show any visual signs of objects. In the event that any burials/skeletal remains, shell middens or stone artefacts are found, all work is to cease immediately, and the relevant parties notified.

4.2.4 HERITAGE

The subject site is located is not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

4.2.5 STORMWATER

Stormwater drainage resulting from new roof and hard stand areas can be catered for in accordance with Council's requirements.

During rainfall events, surface runoff from the proposed developments impervious areas will be collected in rainwater tanks and subsurface pit and pipe networks before being directed to an end of line biofiltration basin. Outlet flows and overflows from the raingarden will be directed to the back of kerb in Vidler Avenue.

4.3 SOCIAL AND ECONOMIC

The proposed development is considered to have positive social and economic outcomes by supporting providing additional health services facilities within an existing mixed-use area. Utilities are available and suitable for connection by the development proposal. The proposed development will increase the services available to the residents within the locality, consistent with the general objectives of the zone. In addition, the construction of the proposed development will provide employment opportunities in the locality and support the local building and development industries. The on-going operation of the premises will generate administration and medical practitioner jobs.

There are no anticipated adverse social impacts as a result of the proposed development, rather it is considered the proposal will contribute positively to the social elements of the locality through an increase in residents. The proposed development is not out of character with the existing context, will not involve an increased risk to public safety and will not threaten the existing sense of community, identity or cohesiveness, rather will contribute to the increase of these aspects in the locality.

4.3.1 SAFETY, SECURITY AND CRIME PREVENTION

The proposed development has been designed with the principles of Crime Prevention through Environmental Design (CPTED) in mind and has been considered as part of this application.

Surveillance cameras are currently installed at the property for the safety of staff and participants. These cameras capture the site only and will not impede on the privacy of any neighbouring property. The proposed development is not likely to create any significant safety, security or crime concerns on or around the site.

5 SUITABILITY OF THE SITE

The proposed development is a suitable use of the site. The application includes all elements required under the relevant planning instruments and policies and there are no anticipated negative impacts on the locality as a result of the development. This development is permissible under the *State Environmental Planning Policy (Transport and Infrastructure) 2021* and has addressed any relevant concerns through this SoEE. The proposal will enable creation of additional employment opportunities and support the needs of the community.

The development will meet the requirements of the BCA and relevant Australian Standards. The site is therefore considered appropriate for the development.

6 PUBLIC INTEREST

The public interest is best served by the orderly and economic use and development of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. The development proposal as outlined by this SEE, has minimal impact on the surrounding locality and is considered compatible with the development in the area.

The development is considered to be in the public interest as it:

- Is a permissible form of development, and
- Is consistent with the applicable environmental planning instruments.

The proposal represents a positive contribution to Woy Woy district and is considered to be in the public's best interest.

7 SUBMISSIONS AND CONSULTATION

The client and Perception Planning held a Pre-DA meeting with Council to discuss the development and design controls applicable to the site on the 29 August 2022. Meeting minutes were provided and have assisted the preparation of the development proposal.

As part of the DA consideration process, it is envisaged Council may place the proposal on public exhibition and send neighbour notification letters to adjoining or adjacent properties. We welcome the opportunity to respond to any submissions.

8 CONCLUSION

This SEE has shown that the development is within the public interest, from a social, economic and environmental perspective. The proposed development is the most suitable option for the development of the site. Any relevant matters have been addressed through this SEE.

The key reasons why the proposed development is appropriate are as follows;

- The site is appropriately zoned R1 General Residential which is prescribed zone pursuant to Clause 2.59 of the SEPP which facilitates the construction of the development and permissibility of the health services facility (health consulting rooms);
- The development is consistent with adjoining land uses to the south;
- Development of the site will directly benefit the community through providing additional health services to meet the needs of the growing community population;
- The development will have a positive economic impact with the creation of short term jobs during construction and improving long term profitability of the operating business which will provide direct monetary input into the local economy and likely to have a positive impact on the municipality; and
- No adverse impact on the existing character or amenity of the area will result;
- The development will have positive economic impacts for the site and the broader region; and
- The land has the capacity to accommodate the development on site whilst managing or mitigating potential environmental issues.

It is considered that the proposal will have no significant impacts on the surrounding properties to that it is likely to adversely affect their enjoyment or amenity. We look forward to Council's determination of this matter. If we can provide any further information or clarity, please don't hesitate to contact us.



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