

# STATEMENT OF ENVIRONMENTAL EFFECTS



Applicant:  
McDonald Jones Homes  
PO Box 340  
EAST MAITLAND NSW 2323

Site Address:  
Lot 36 DP 10650  
23 Pacific Highway  
ETTALONG BEACH NSW 2257

Construction of a Two Storey Dwelling.

## INTRODUCTION

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This Statement of Environmental Effects is submitted to Central Coast Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the erection of a new two storey dwelling containing four (4) bedrooms, upper activities, study nook, guest, family and dining rooms, along with an attached double garage and outdoor alfresco dining area.

The site is rectangular in shape with a frontage to Pacific Avenue and a total site area of 398.3m<sup>2</sup>. The lot currently contains a dwelling and ancillary structures to be demolished under a separate application. No trees are proposed for removal in order to appropriately site the dwelling, with landscaping to be provided following construction phase of the dwelling.

The site is relatively level over the building footprint, with stormwater to be directed to an approved system as per the stormwater details.

The neighbourhood consists of a general mix of residential dwellings of one and two storey construction as anticipated within an existing residential area.

The proposed dwelling will contribute positively to the surrounding area and the streetscape of Pacific Avenue.

## ENVIRONMENTAL EFFECTS

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The following sections address the matters for consideration as listed in Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- Central Coast Local Environmental Plan 2022
- Central Coast Development Control Plan 2022

## 4.15 EVALUATION

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### (1) Matters for Consideration – general:

#### (a)(i) Relevant environmental planning instruments

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#### State Environment Planning Policy (Resilience and Hazards) 2021

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##### Chapter 2 – Coastal management

The main objective of this plan is to manage development and protect the environmental assets of the coast, guide decisions making in the coastal zone and map the coastal management areas that comprise the coastal zone in accordance with the Coastal Management Act 2016. Given the location of the subject site and the low-density nature of the development, the proposed dwelling is not expected to have any detrimental impact on the objectives of the SEPP (Chapter 2). The site has been identified as being within the Coastal Environment Area (Division 3 of Chapter 2 the SEPP).

Clause 2.10 provides for matters to be considered prior to granting of consent for development. These are addressed below.

##### Clause 2.10 Development on land within the coastal environment area

*(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—*

*(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*

The site is within an existing developed residential area and is connected to sewerage and stormwater. During works, the site will be managed with sedimentation barriers to ensure no run off from the site into the coastal area. It is not expected that the proposal will have any material detrimental effect on the biophysical, hydrological or ecological qualities of the surrounding environment.

*(b) coastal environmental values and natural coastal processes,*

Coastal values and processes not expected to be impacted upon as a result of the proposed development given the location of the site and proposed mitigation as above.

*(c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*

Not applicable to subject site.

*(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*

Minimal clearing or vegetation disruption is proposed as part of this development. The new dwelling will be largely located within the existing footprint and no marine vegetation is within close proximity.

(e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*

The proposed development will not impact upon any public access.

(f) *Aboriginal cultural heritage, practices and places,*

No known sites have been identified.

(g) *the use of the surf zone.*

Not applicable to this site.

The proposed development is designed, sited and will be managed to minimise and mitigate any impact upon the coastal environment area.

## Central Coast Local Environmental Plan 2022

Under the LEP, the subject site is zoned R1 General Residential pursuant to Clause 2.1 of the Central Coast LEP 2021.

The proposed development is defined in the plan as a '*dwelling house*', being '*a building containing only one dwelling*'.

The identified zone permits the construction of a '*dwelling house*' subject to development consent from Council.

### Clause 2.3 Zone objectives and land use table

The objectives of the R1 Zone are:

- *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 proposed development is for a residential dwelling, being compatible with the existing and future character of the locality. The dwelling is designed to provide a high level of amenity for its residents whilst considering the surrounding land uses. The site limits the dwelling to a single occupancy, however, provides for the housing needs of the community and future residents. The proposed dwelling is considered to meet the objectives of the R1 Zone.

### Clause 4.3 Height of buildings

| <i>Requirement</i> | <i>Provision</i> | <i>Compliance</i> |
|--------------------|------------------|-------------------|
| Max. 8.5m          | 8.405m           | Yes               |

### Clause 4.4 Floor space ratio

| <i>Requirement</i> | <i>Provision</i> | <i>Compliance</i> |
|--------------------|------------------|-------------------|
| 0.5:1              | 0.4703:1         | Yes               |

#### Clause 4.6 Exceptions to development standards

The development does not appear to contravene any development standards with in the LEP.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject site does not contain a heritage item.

#### Clause 5.11 Bush fire hazard reduction

The subject site has not been identified to be bushfire prone land as per Councils 10.7 Certificate.

#### Clause 7.1 Acid Sulfate Soils

The subject property is identified as being affected by Class 4 Acid Sulfate Soils as per Councils maps. The development does not require site works 2m below natural ground level and will not lower the water table.

#### Clause 7.2 Flood planning

The subject site has been identified as being within a flood planning area as per the 10.7 Certificate. The proposed dwelling has a suitable floor level to ensure minimal damage in event of a flood. The dwelling will not unreasonably impact upon flood functions and behaviours and will not increase affectation on other properties. The dwelling is of an intended scale and incorporates a raised floor level to reasonably minimise risk in the event of a flood.

As per the Flood Information Certificate the minimum habitable floor level is above the required 5.29m AHD and is appropriate for the development.

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#### Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and development standards relating to dwelling houses as contained within the CCLEP 2022.

#### (a)(ii) Relevant draft environmental planning instruments

There are no draft environmental planning instruments that would prevent the subject development from proceeding.



## Central Coast Development Control Plan 2022

## Chapter 2.1 Dwellings Houses, Secondary Dwellings and Ancillary Development

| <i>Requirement</i>  | <i>Provision</i>   | <i>Compliance</i>                                      |
|---|--|--|
| <p>2.1.2 – Building Scale</p> <p><u>2.1.2.1 – Building Height</u></p> <p>LEP requirement; or<br/>10m if not mapped in LEP.</p> <p>2 storey max. consider 3 storey on steep sites.</p> <p><u>2.1.2.2 – Site Coverage</u></p> <p>Max. site cover for dwellings and all ancillary development:</p> <p>&lt;450m<sup>2</sup> lot = 60%<br/>450-&lt;900m<sup>2</sup> = 50%<br/>900-&lt;1500m<sup>2</sup> = 40%<br/>1500m<sup>2</sup> + = 30%</p> <p><u>2.3 - Floor Space Ratio</u></p> <p>As per LEP.</p>                                     | <p>8.405m proposed.</p> <p>Two storey dwelling proposed.</p> <p>Approx. 37% proposed.</p> <p>As per LEP.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>            |
| <p>2.1.3 – Setbacks</p> <p><u>2.1.3.1 – Setbacks – Residential Lots (R1, R2, R3 or RU5)</u></p> <p><u>Front Setback –</u></p> <p>Local Road – Average of two adjoining properties or 4.5m</p> <p><u>Rear Setback –</u></p> <p>Wall height &lt;4.5m – 0.9m for half the length of the rear boundary, increased to 3m.<br/>Wall height &gt;4.5m - 6m</p> <p><u>Side Setback –</u></p> <p>Lots up to 12.5m: <i>Approx. 12.2m</i><br/>Zero setback to one side, for max. length 10m.<br/>For remainder:<br/>Wall height &lt;4.5m – 0.9m</p> | <p>5m to articulation.</p> <p>7.56m</p> <p>&gt;6m rear setback provided.</p> <p>N/A</p> <p>1.042m</p>        | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> |

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| Wall height >4.5m 0.9m plus 1/4 height above 4.5m.   | Required: 1.66m<br>Provided: Min. 1.7m  | Yes                               |
| <u>Secondary Setback</u><br>2m   | N/A   | N/A                               |
| <u>2.1.3.3 – Articulation Zones</u><br>Primary façade articulation for dwelling houses:<br>- 1.5m articulation zone for 25% of area.<br><br><u>R1, R2, R3 and RU5 Zones must provide as follows:</u><br>Front elevation within 7.5m of front boundary to have max. unbroken length of 10m.<br>Side elevation within 4.5m of secondary setback or parallel road to have max. 10m unarticulated.<br><br>Garage doors within 7.5m of primary or parallel road:<br>- max. 6m for lots 12m or less;<br>- 6m or 60% of width of building (whichever greater) if lot is >12m. | Porch proposed behind the minimum setback requirement.<br><br><br>Entry feature and porch provided, walls <10m in length.<br><br><br>Garage doors 4.8m or 50.8%   | N/A<br><br><br>Yes<br><br><br>Yes |
| 2.1.4 - Residential Amenity<br><u>2.1.4.1 – Views</u><br>Allow for view sharing through stepping development down sloping sites & consideration to roof form.<br><br><u>2.1.4.2 – Visual Privacy</u><br>Windows to living areas to be appropriately setback and/or offset or provided as highlight windows.  | No loss of views anticipated, views around dwelling maintained with appropriate side setbacks.<br><br><br>Windows within side elevations have been appropriately designed, setback and offset to ensure privacy is maintained between dwellings. Upper activities room window has been provided with a raised sill height and is well setback and offset from the adjoining property to maintain privacy between sites. | Yes<br><br><br>Yes                |



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| Balconies, terraces and decks to consider impact on adjoining.  | N/A – no balconies/terraces   | N/A |
| <u>2.1.4.3 – Private Open Space</u><br>PPOS accessible from living area.  | Accessible from family room.  | Yes |
| Min. area of :<br>- 16m <sup>2</sup> lots <10m at building line or for secondary dwellings;<br>- 24m <sup>2</sup> lots >10m wide.   | N/A   | N/A |
| Min. dimension 3.0m   | Provided in rear yard.  | Yes |
| Max 1:50 gradient.  | Min. >3m  | Yes |
| Behind front building line.   | Suitable POS area provided.   | Yes |
| <u>2.1.4.4 – Sunlight Access</u><br>3hrs to 50% of required PPOS for proposed and adjoining dwellings 9am-3pm.<br>Lesser solar access considered where:<br>- proposal complies with height and building envelope controls;<br>- proposal adequately considers slope and site orientation;<br>- adjoining development has not adequately considered future development and site constraints such as lot orientation and location of POS. | Located behind building line.   | Yes |
|   | Solar access to PPOS of subject and adjoining properties is provided, with 3 hours of solar access to 50% of areas from 12pm onwards.<br>Shadows cast over the rear living room window of the adjoining property between 9am – 12pm, however, suitable access is provided from 12pm onwards to maintain reasonable solar access to living room. | Yes |
| <u>2.1.5 – Car Parking &amp; Access</u><br>1 space per dwelling if 3 or less bedrooms   | N/A   | N/A |
| 2 spaces per dwelling if 4 or more bedrooms   | 2 spaces within garage.   | Yes |
| Located behind primary and/or secondary road setback.   | Garage behind building line.  | Yes |
| Battle-axe, classified road or busy street to allow vehicles to   | N/A   | N/A |

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| enter and exit in a forward direction.  |  |  |
| Open hard stand space to have:<br>Min. 2.6m wide x 5.4m long.   | N/A – Not proposed.  | N/A  |
| Max. driveway width 4m at crossover.  | Suitable driveway crossover provided to allow entry and exit of a single vehicle.  | Yes  |
| Have driveway access to a public road.  | Capable of complying.  | Yes  |
| <p>2.1.6 – Earthworks, Structural Support &amp; Drainage</p> <p><u>2.1.6.1 – Earthworks</u></p> <p>Max. cut 1m if within 1m of boundary or 3m deep if &gt;1m from boundary.</p> <p>Max. fill for dwelling max. 1m. No retaining walls for fill within 1m of side or rear boundary unless within 1.5m of external wall of a dwelling.</p> <p><u>2.1.6.2 – Retaining walls &amp; structural supports</u></p> <p>Retaining walls &gt;600mm within 1m of boundary or &gt;1m high to be engineer designed.</p> <p>Unretained areas to remain within 3m of dwelling or have toe of embankment &gt;1m from side or rear boundary.</p> <p><u>2.1.6.3 – Drainage</u></p> <p>Suitable drainage system to be in place in accordance with Council's requirements.</p> | <p>&lt;100mm of cut proposed.</p> <p>Max. 1m fill within drop edge beam/ face brick work design.</p> <p>N/A – No retaining walls proposed as part of application.</p> <p>All site works within 3m of dwelling.</p> <p>Drainage to an approved system as per drainage details attached.</p> | <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Details provided.</p> |
| 2.1.7 –Ancillary Development  | N/A – Not proposed as part of application.   | N/A  |

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| <p>2.1.8 – Secondary Dwellings<br/><u>Setbacks</u><br/>As per principal dwelling.</p> <p>Located behind main building line.</p> <p><u>Access</u><br/>Separate pedestrian access to be provided to primary or secondary road and located to minimise potential for adverse amenity impacts on the main house.</p> <p><u>Private Open Space</u><br/>Secondary dwellings provided with:<br/>16sqm POS;<br/>Min. dimension 3m;<br/>Directly accessible from main living area;<br/>Adequate solar access and privacy;</p> <p>No steeper than 1:50 gradient.</p> | <p>Secondary dwelling not proposed.</p> | <p>N/A</p> |
|--|---|------------|

### Chapter 3.1 Floodplain Management and Water Cycle Management

The proposed dwelling has been reasonably designed and sited for flood requirements and maintains a suitable habitable floor level as per the Flood Information Certificate.

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### Conclusion with respect to DCP requirements

The proposal generally complies with the objectives of the relevant development standards relating to dwelling houses, as contained within the Central Coast Development Control Plan 2021.

## (b) Likely impacts of the development, including environmental impact on both the natural and built environment of the locality

The following matters are considered relevant when considering onsite impacts.

### Siting and Design

The proposed two storey dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dwelling provides generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements and a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

### Sedimentation Control

Due to the topography of the site, excavation will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

### Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

### Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

## (c) The suitability of the site for the development

The subject site is within an existing area, within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The two storey dwelling, the subject of the application, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

The dwelling is permissible under the Central Coast Local Environmental Plan 2021, and generally satisfies the objectives of the relevant development control plans as discussed above.

#### (d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

#### (e) Public interest

As this proposal can reasonably satisfy the objectives of all relevant planning instruments and development control plans, approval of the subject development is considered to be in the public interest.

### CONCLUSION

The residential use of the site is permissible with development consent under the provisions of the Central Coast Local Environmental Plan 2021, and can satisfy the objectives of the relevant development control plan.

It is considered that the construction of a two storey dwelling will complement and blend with the existing, and likely future character of Ettalong Beach. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

Local Consultancy Services Pty Ltd  
February 2023