

STATEMENT OF ENVIRONMENTAL EFFECTS



PROJECT: DEMOLITION OF EXISTING DWELLING AND STRUCTURES TO FACILITATE CONSTRUCTION OF A NEW DOUBLE-STOREY DWELLING HOUSE, NEW DRIVEWAY ACCESS, AND MINOR FILL

LOCATION: LOT 238 / DP10570
92 THE ESPLANADE , ETTALONG BEACH NSW 2257

APPLICANT: WARWICK & FELICITY WEEKS
C/O MONTGOMERY HOMES
PO BOX 480 BELMONT NSW 2280

INTRODUCTION

This Statement of Environmental Effects has been prepared by Montgomery Homes to accompany a Development Application for the demolition of existing dwelling and structures to facilitate construction of a new double-storey dwelling house, new driveway access, and minor fill at 92 The Esplanade, Ettalong Beach NSW 2257 legally identified as Lot 238 / DP10570.

The site is located within the Central Coast LGA for which Central Coast Council is the relevant planning authority for local development.

This document 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 DPE) *Guide to the Environmental Planning & Assessment Act 1979* (s4.15).

This SoEE has been prepared pursuant to the *Environmental Planning and Assessment Act 1979* (s4.12 (9)) and accompanying regulation. The objectives of this SoEE 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.

The application is accompanied by the following items (if these items have not been received, please contact Montgomery Homes directly).

Item	Prepared by
AHIMS Search	NSW Office of Environment & Heritage
Architectural Plans	Montgomery Homes
BASIX Certificate	BSA
Development Plans	Montgomery Homes
Flood Information Certificate	Central Coast Council
Notification Plans	Montgomery Homes
Owner Authorisation Form	Montgomery Homes
S10.7 Certificate	Central Coast Council
Statement of Environmental Effects	Montgomery Homes
Stormwater Management Plan	Montgomery Homes
Survey Plan	Nastasi & Associates
Waste Management Plan	Montgomery Homes

PROPERTY SUMMARY

Address	Lot 238 / DP10570 92 THE ESPLANADE , ETTALONG BEACH NSW 2257
Owner Details	Warwick & Felicity Weeks C/O Montgomery Homes PO BOX 480 Belmont NW 2280
Zoning	R1 - General Residential
Consent Authority	Central Coast Council
Property Dimensions	676.6 m ²
Existing Land Use & Improvements	Existing single-storey brick dwelling and structures (to be demolished)
Site Constraints	Minimum Lot Size – 550 m ² Floor Space Ratio – 0.5:1 Acid Sulfate Soils – Class 2 Maximum Building Height – 8.5 m SEPP Coastal Management 2018 – Coastal Use Area Coastal Environment Area

SITE CONTEXT AND NEIGHBOURING DEVELOPMENT

The allotment is bounded by established low scale residential dwellings displaying a diversity of building forms. One and two storey residential dwellings are the predominate development in the setting. Many premises in the locality display alterations and additions as well as contemporary infill outcomes. There is a wide variety of styles, ages, construction materials and conditions in the surrounding streetscape showing the changing state of the area to larger residences.



BUILDING ON EVERY LEVEL

DESCRIPTION OF PROPOSED DEVELOPMENT

PROPOSED DEVELOPMENT WORKS	The proposed development includes the demolition of existing dwelling and structures to facilitate construction of a new double-storey dwelling house, new driveway access, and minor fill.
EXISTING IMPROVEMENTS	The site contains an existing single-storey brick dwelling and structures (to be demolished)
SERVICES	Sewer, water, electricity, telecommunications and storm water are available to the site for connection.
STORMWATER	The site slopes northwest from a height of 2.23 m on the east side of the property to a minimum height of 1.19 to the west. The development will see a 3,000L water tank for BASIX requirements/ sustainability purposes. Stormwater management/ water tank overflow will be directed to the front of the lot as dictated by the natural slope of the site into an existing stormwater pit on the road reserve.
ACCESS	<p>The site has a 15.775 m boundary to The Esplanade to the east. The site contains an existing driveway to The Esplanade which will be replaced.</p> <p>The Esplanade is identified as a local government road under the maintenance of Central Coast Council. The site is not located near any classified road.</p>
VEGETATION	The proposed development is clear of vegetation.

ACTS

Consideration was afforded to other legislation, including legislation concerning whether the proposal is integrated development. Integrated development is development that, in order for it to be carried out, requires development consent and one or more of the following approvals:

ACT	Response
Biodiversity Conservation Act	The site does not contain land or habitat identified on the biodiversity values map. The proposal does not involve vegetation removal which exceeds the clearing threshold. To this extent, further consideration of the BC Act is not warranted.
Coal Mine Subsidence Compensation Act 2017	The site is not identified as being within a mine subsidence district, underground coal mining area, or as being mine subsidence development.
Fisheries Management Act 1994	Not applicable.
Heritage Act 1994	The site is not heritage listed, within a heritage area, or in close proximity to any heritage item.
Mining Act 1992	Not applicable.
National Parks and Wildlife Act 1991	Not applicable.
Protection of the Environment Operations Act 1997	Not applicable.
Roads Act 1993	The site is not located near any classified road.
Rural Fires Act 1997	The site is not identified as being bushfire prone.
Water Management Act 2000	<p>The site is not within 40m of any watercourse. No physical works are proposed within 40m of an applicable watercourse and therefore referral to NRAR is not required.</p> <p>To this extent, no further consideration of the Water Management Act is required.</p>



STATUTORY PLANNING REQUIREMENTS

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The following details the proposal against the relevant heads of consideration in Section 4.15(1) of the EP&A Act as amended, namely:

- Environmental planning instruments (EPIs) that are in force, proposed or exhibited;
- Development control plans (DCPs);
- Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4;
- The EP&A Regulations;
- Likely impacts to natural and built environments, society and economy;
- Suitability of the site for the proposed development; and
- Public interest

STATE ENVIRONMENTAL PLANNING POLICIES

Part	Response
State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 3 – Koala Habitat Protection	Not applicable.
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 2 – Coastal Management	The site does not contain littoral rainforest or coastal wetlands. It is however located within a coastal use and coastal environment area to which this SEPP applies. The proposed development provides suitable stormwater controls and will not have an adverse impact on the coastal environment area or coastal use of the land.
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 – Remediation of Land	No notices or declarations have been issued for the site under the Contaminated Land Management Act 1997. The site has no known prior historic use which suggests contamination may have occurred. As such, the land is unlikely to be subject to contamination and does not warrant further investigation. The site is considered suitable for the proposed development and the objectives of Chapter 4 have been satisfied.
State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 2 – Infrastructure	The site is not located near any classified road. The Esplanade is identified as a local government road under the maintenance of Central Coast Council. As such, referral to Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.117, 2.118 and 2.119
State Environmental Planning Policy (BUILDING SUSTAINABILITY INDEX: BASIX) 2004	A BASIX Certificate is provided to accompany the application.

LOCAL ENVIRONMENTAL PLAN

The proposed development is consistent with the Central Coast Local Environmental Plan 2022, as demonstrated below.

Clause	Requirement	Response
Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	The proposed development includes the demolition of the existing dwelling prior to the construction of the new dwelling.
Zone objectives and Land Use Table	The site is zoned R1 General Residential.	<p>The proposed dwelling house is permissible within zone R1, subject to Development Approval.</p> <p>The proposed development supports the objectives of the zone by providing for the housing needs of the community through the construction of a dwelling house which is sympathetic to the built form and natural environment. The proposal is a low impact use that will have minimal impact on the environmental qualities of the area.</p>
Minimum Lot Size	The site is identified as having a minimum lot size of 550 m2 under the LEP.	Not applicable – no subdivision is proposed.
Height of Buildings	The site is identified as having a maximum building height of 8.5 m under the LEP.	<p>The proposed development has a maximum building height of 8.903 m from natural ground level. The proposal exceeds the 8.5 m height of building control by 0.403 m.</p> <p>The proposal is supported by a Clause 4.6 report that justifies contravention of the development standard.</p>
Floor Space Ratio	The site is identified as having a maximum floor space ratio of 0.5:1 under the LEP. The site has an area of 676.6 m ² which results in a maximum floor area of 338 m ² under Clause 4.4.	The proposed development has a total floor area of 314.41 m ² .
Heritage conservation	The site is not heritage listed, within a heritage area, or in close proximity to any heritage item	Not applicable.
Exceptions to development standards	An exception to the height of building development standard is proposed.	The proposal includes a written request that justifies contravention of the development standard by demonstrating compliance with the development standard is unreasonable in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard.
Flood Planning	The site is identified as being within a Flood Planning Area and is subject to flood related development controls.	A Flood Information Certificate is provided to accompany the application. The proposed development provides a Minimum Habitable Floor Level of 2.58 AHD.

Clause	Requirement	Response
Acid Sulphate Soils	The site is identified as having class 2 acid sulfate soil conditions. Acid sulfate soils in a class 2 area are likely to be found below the natural ground surface.	The proposed development does not involve works below the natural ground surface or works by which the watertable is likely to be lowered. The proposed development does not involve the disturbance of more than 1 tonne of soil. Fill will be certified material.

DEVELOPMENT CONTROL PLAN

The Central Coast Development Control Plan 2022 sets out development standards for residential development upon the site. An analysis of the proposed development against the relevant sections of the DCP has been undertaken and appears below. Any areas of non-compliance are discussed in greater detail.

RESIDENTIAL CONTROLS

Control	Notes
Building Height	The proposed development is non-compliant in this regard, displaying a maximum elevation of 8.903 m above existing ground levels. A request to vary the development standard is included with this application under Clause 4.6 of the LEP. The proposal exceeds the 8.5 m height of building control by 0.403 m. This is in response to the dwelling being raised approximately 0.7 m above natural ground level to provide an appropriate minimal floor level in response to flood constraints.
Site Coverage	The proposed development has a footprint of approximately 31.6% of the site area – being compliant to the DCP prescriptive measures (maximum site coverage of 50%). The compliant site coverage ensures appropriate density, bulk and scale of development.
Floor Space Ratio	The site is identified as having a maximum floor space ratio of 0.5:1 under the LEP. The site has an area of 676.6 m ² which results in a maximum floor area of 338 m ² under Clause 4.4. The proposed development has a total floor area of 314.41 m ² .
Front Setback	The proposed dwelling has a front setback of 7.502 m to the main building line, 6.944 m to the upper level deck and 10.25 m to the garage. The development will be consistent with the established setback of the immediate neighbouring properties.
Rear Setback	The development will be setback more than 15.917 m from the rear boundary.
Side Setback	<p>The proposal will have a side setback of 1.2 m to the south and 1.403 m to the north.</p> <p>Control: for any part of the building with a height of up to 4.5m - 0.9m, and for any part of the building with a height of more than 4.5m - 0.9m plus one-quarter of the height of the building above 4.5m.</p> <p>The proposal is considered to be generally compliant and any minor variation appropriate given the required minimum floor level of the site. The proposed setbacks ensure adequate space, light and ventilation to the proposed dwelling and any future or existing</p>

	neighbouring dwellings. The proposed setback will ensure the established setbacks are maintained.
Articulation Zone	The proposed development incorporates an attractive entry feature and upper deck.
Views	The proposed development will not unreasonably impact the views of surrounding properties.
Garage Door Articulation	The proposed garage is significantly setback by 10.25 m from the street and will not visually dominate.
Visual Privacy	The proposed development has been designed, located and oriented to minimise direct overlooking between main living areas and areas of Principal Private Open Space.
Private Open Space	The DCP states that lots with a width greater than 10 m wide at the building line require a POS area of 24m ² . A variation to the control is requested. The proposed development includes outdoor area with both east and west exposure which provides suitable solar access.
Sunlight Access	The proposed development is designed and oriented on the site in order to facilitate solar access to the living areas and private open space of the dwelling. The proposal will have minimal impact on the adjacent properties POS as seen in the attached development sun study plan.
Car Parking and Access	The proposed development includes suitable parking in an attached double car garage, visible from the street and integrated into the overall development design. The proposal meets the requirements of minimum off-street parking under the DCP of 2 spaces for dwellings with 4 or more bedrooms and will have driveway access to The Esplanade.
Earthworks	Minor earthworks are proposed to facilitate a raised building foundation. Construction techniques such as drop edge beams is utilised to contain all earthworks within the footprint of the development.
Drainage	The proposed development includes stormwater management in the form of down pipes running to a proposed 3,000L water tank, with re-use through the dwelling to be incorporated as per BASIX requirements and any overflow experienced to be discharged to the stormwater network.
Preservation of Trees and Vegetation	The proposed development is clear of vegetation. An Arborcultural Impact Assessment is not considered necessary in this instance.



SECTION 4.15 (EP&A Act)

The proposed development has been assessed in consideration of the heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1997.

THE PROVISION OF ANY ENVIRONMENTAL PLANNING INSTRUMENT (EPI)

Refer to Statutory Planning Requirements for a detailed discussion of compliance with the relevant LEP.

THE PROVISION OF ANY DRAFT EPI

There is no Draft LEP that applies to the site.

ANY DEVELOPMENT CONTROL PLAN

Refer to Statutory Planning Requirements for a detailed discussion of compliance with the relevant DCP.

ANY MATTERS PRESCRIBED BY THE REGULATIONS

There are no other matters applicable to this application

LIKELY IMPACTS OF THE DEVELOPMENT

Context and siting

The proposal is consistent with the surrounding residential environment and respects the constraints both upon the site and in the immediate context. The proposed development will add to the quality and variety of existing building stock in the local area.

The height and scale of the proposed works will be entirely commensurate with that established within the site's visual catchment with no unacceptable residential amenity impacts in terms of visual bulk, views, privacy or overshadowing.

The design of the dwelling is consistent with the emerging character of the area comprising brick facades, cladding features, and a pitched roof. The internal layout is well considered with the living area positioned to receive good levels of natural light and a clear open plan layout is proposed that will facilitate natural cross ventilation.

The proposal seeks to provide high quality design and functionality in terms of layout and open space elements. The proposed development represents a good example of revitalization of infill development and is appropriate in scale when viewed in consideration against surrounding developments.

Public Domain

The proposal will not impact upon the public domain, other than to enhance the quality of the existing street scape and quality of building stock within the area. The site is not subject to land reservation acquisition by any authority.

Utilities

The proposal will connect with existing utility services within the area. The proposal will not place undue demands upon the available capacity of utility services in the area.

Social and Economic Impact in the Locality

The proposal will provide a new high-quality family home within the area. Construction of the home will help to sustain construction jobs in the region, whilst occupation of the home will likely result in increased personal spending within the local area, helping to sustain local businesses.

The proposed development will not have any significant negative impact on economic factors within the area notwithstanding that it will generate short term employment opportunities through the construction period of the development.

Site Design and Internal Design

The site is ideally suited to the proposed development, having been designed and zoned specifically for the purpose. The proposal has been designed to suit the site, its topography and constraints. The proposed development can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on future occupants.

Cumulative Impacts

The proposal is consistent with a residential environment and will work to cohesively enhance the streetscape and quality of building stock in the area. Cumulative impacts are likely to be positive as a result of this form of development.

SITE SUITABILITY

The site is ideally suited to the proposed development, and accordingly the proposal has been carefully designed to reflect the site attributes. The development is consistent with the conclusions reached by Senior Commissioner Roseth in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191 where it has been formed and considered in opinion that most observers would not find the proposed development offensive, jarring or unsympathetic in a streetscape context nor having regard to the built form characteristics of development within the site's visual catchment. Accordingly, it can be reasonably concluded that the proposal is compatible with its surroundings.

SUBMISSIONS

The applicant has not received any representations of interested parties with regard to the proposal. The Consent Authority will need to consider any submissions received as a result of notification.

THE PUBLIC INTEREST

We are not aware of any relevant issues in the public interest, which would relate to this development. The provision of new, quality, compliant housing within a zoned residential environment could unlikely be seen as anything other than a public benefit.

The proposed works are permissible and consistent with the intent of the built form controls as they are reasonably applied to the proposed works given the topography of the land. The development would not be contrary to the public interest.

CONCLUSION

The proposal has been assessed against the requirements of Section 4.15(1) of the Act, Central Coast Local Environmental Plan 2022 and Central Coast Development Control Plan 2022.

The proposal involves a contemporary inspired design that is appropriately setback from the site edges to maximise light, ventilation and openness. The proposal is located and configured to complement the property's established neighbourhood character without any significant changes or impacts on the existing development character or neighbouring amenity.

It has been demonstrated that the proposal is mainly in accordance with the Aims, Objectives and Provisions of these controls. This report demonstrates that the variation will not give rise to any unacceptable residential amenity or streetscape consequences.

The proposed dwelling will increase the quality and variety of housing stock in the local area. Through careful design, the proposal will have a negligible environmental impact on its surrounds and will enhance the appeal of the streetscape.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.

We recommend the application to council for approval.

WASTE MANAGEMENT PLAN – CONSTRUCTION

	Reuse	Recycling	Disposal	
Type of Waste generated	Estimate Volume or weight M ³	Estimate Volume or Weight	Estimate Volume or weight M ³	Specify method of Onsite reuse, contractor and recycling outlet and /or waste depot to be used
Excavation Material	Cut - 0.1m ³	Fill – 162.0m ³	161.9m ³ OR 309.8 tonne to be delivered	Approved fill site
Timber			0.25	Tip
Concrete				
Bricks		0.5		Crushing Plant
Tiles		0.5		Crushing Plant
Metal				
Glass				
Plasterboard		0.15		Reclaimed by supplier
Fixtures and fittings				
Floor Covering				
Packaging				
Garden Organics			0	
Containers				
Paper / Cardboard				
Residual Waste			2.0	Tip (General waste, packaging, other offcuts etc)
Hazardous Specify E.g. Asbestos				

WASTE MANAGEMENT PLAN – DEMOLITION

	Reuse	Recycling	Disposal	
Type of Waste generated	Estimate Volume or weight M ³	Estimate Volume or Weight	Estimate Volume or weight M ³	Specify method of Onsite reuse, contractor and recycling outlet and /or waste depot to be used
Concrete		40m ³		Concrete Recyclers
Bricks		40m ³		Concrete Recyclers
Roof Tiles		10m ³		Concrete Recyclers
Metal		10m ³		TBD
Asbestos			TBD	Accredited removalist TBD
Mixed Waste			120m ³	Local Waste Centre

All demolition work will be accordance with AS2601-2001

Demolition works to be completed shall comply with the provisions of AS2601:2001 – The demolition of Structures.

PROCEDURE:

- Location & disconnection of services.
- Exclusion zone to be established.
- Use machinery to remove all floor surfaces.
- Use machinery to remove buildings.
- Machinery will be used to push/pull down brickwork.
- Machinery will be used to perform site strip, demolish retaining walls, rock walls and tree stumps.
- Debris will be loaded on to trucks with excavator.
- Debris will be disposed of at a licensed waste facility, any material that can be recycled e.g concrete, metal will go to the appropriate recycle plant.
- The demolition has at time frame of approximately one week.
- All persons working within the exclusion zone are supplied with appropriate PPE, have been inducted into the site & will carry out works as per the SWMS on site.
- The exclusion zone is no less than four metres from the demolition area & is fenced with safety fencing.