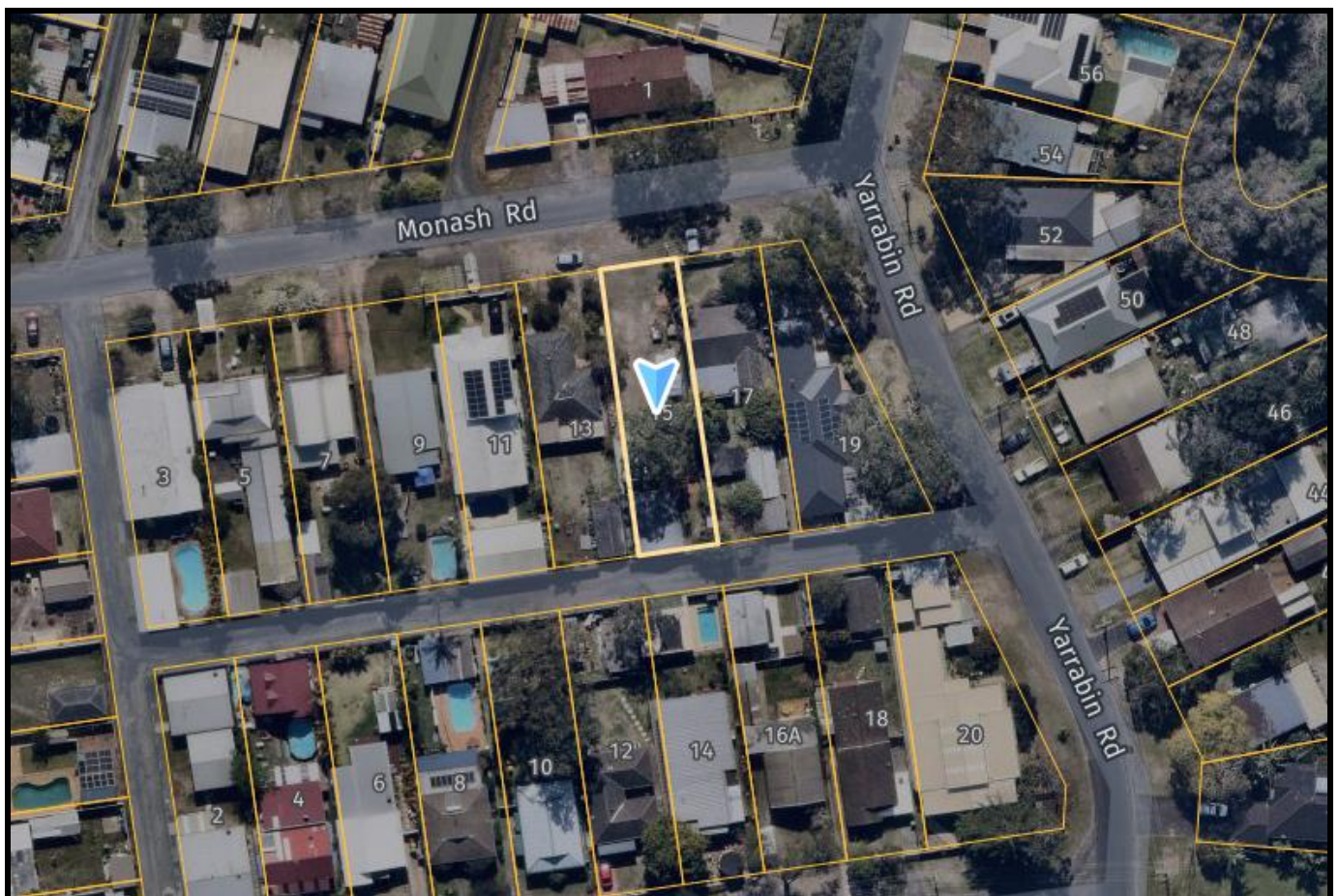


**STATEMENT OF ENVIRONMENTAL EFFECTS**  
**FOR THE PROPOSED DWELLING AND**  
**CONVERSION OF EXISTING DWELLING TO**  
**WORKSHOP**

**ON LOT 85 DP 10633**  
**No. 15 MONASH ROAD,**  
**UMINA BEACH**



*Prepared on behalf of the Landowner/Applicant*  
*Mr Greg Miller*

**JANUARY 2024**

## 1. PROPERTY DESCRIPTION AND PROPOSED DEVELOPMENT

The land subject to this application is legally described as Lot 85 DP 10633, No. 15 Monash Road, Umina Beach.

The site is located on the southern side of Monash Road and northern side of an unnamed laneway within an established residential locality characterised by dwellings, ancillary structures and public road networks.

An existing single storey clad dwelling and detached metal carport occupy the site and are set among managed lawn with private gardens and several freestanding trees. There are no significant vegetation communities recorded or present on site.

Allotment shape is rectangular with an area of approximately, 520m<sup>2</sup> and frontage to Monash Road of 12.1 metres.

While no formal driveway currently exists, vehicle access is available directly from Monash Road.

Site slopes are relatively flat. Further detail may be obtained from the Plan showing Spot Levels and Detail prepared by Clarke Dowdle and Associates, Reference Number 26207, dated 15 September 2023 attached to the Development Application (DA) submission.

The site is fully serviced with all essential infrastructure. There are no known Easements burdening or benefitting the site.

It is understood that roof water from the existing dwelling is disposed of to the legal point of stormwater drainage for the site assumed to be the public system in Monash Road and/or adjoining laneway.

The DA seeks approval for the construction of a new single storey dwelling and conversion of the existing dwelling to a workshop (ancillary outbuilding) as shown on the attached Building Design Plans prepared by Sherry Denton Drafting Service, Job No. 2325, Sheets 1 to 8, dated September 2023 (Revision 3, dated 17 January 2024).

The proposed dwelling offers a gross floor area (GFA) of 83m<sup>2</sup> with a floor plan layout as follows:

- well defined front entry point
- two bedrooms both with walk-in wardrobes
- open plan kitchen/living/dining
- dual bathroom/laundry
- covered rear deck directly accessible from internal living spaces
- attached single vehicle carport approx. 19m<sup>2</sup> in area; and
- new driveway (material to be advised).

The existing dwelling, with a floor area of approx. 54m<sup>2</sup>, is to be repurposed and converted to a workshop (ancillary outbuilding). The existing kitchen is to be removed and the internal layout modified to make functional for the intended use.

Site calculations are provided on Sheet 2 of the attached Building Design Plans. Refer to **Figure 1** below:

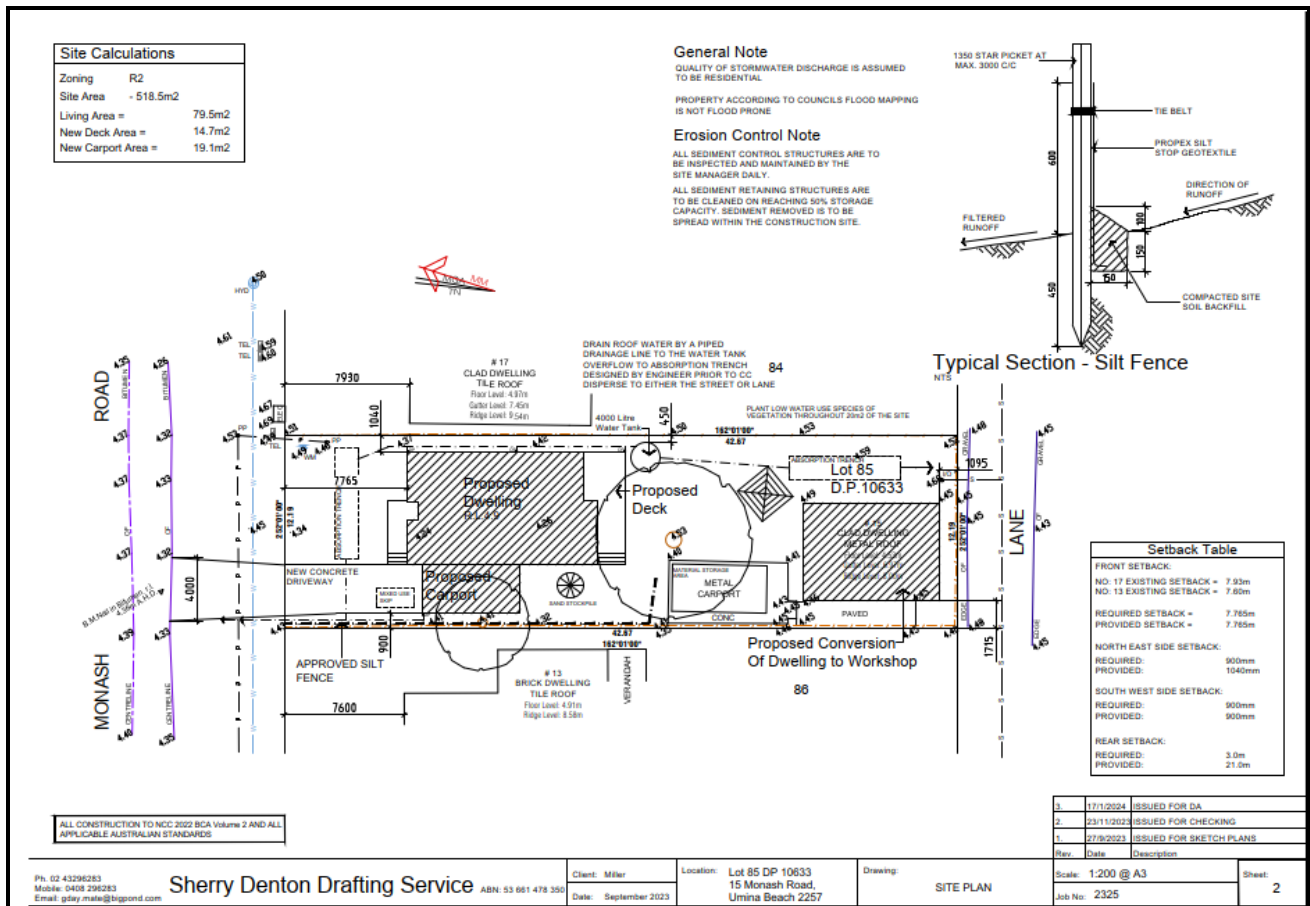


Figure 1: Site Plan (Sheet 2)  
 Source: Sherry Denton Drafting Service

The proposed dwelling has been designed to integrate with the existing residential setting and addresses relevant design elements contained within *Central Coast Development Control Plan (CCDCP) 2022, Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development*. The proposed dwelling is deemed to be compliant with all relevant matters. However, the proposed workshop (ancillary outbuilding) slightly exceeds the maximum floor area requirements as further addressed under Section 2 of this SEE Report.

The proposed dwelling will enhance the existing and desired character of the immediate vicinity by incorporating architectural elements and design features that are not dissimilar to adjoining dwellings. The proposed dwelling provides for renewed housing stock in the local area and would make a positive contribution to the locality. Further details of the proposed development are provided hereunder.

## 2. STATUTORY CONSIDERATIONS

### 2.1 Environmental Planning and Assessment (EP&A) Act, 1979

Assessment of DAs lodged with Council are considered under the provisions of Part 4 – Development Assessment and Consent of the Act which outlines the specific assessment requirements for varying forms of development activities.

Division 4.3 refers to development that needs consent (except Complying Development).

Section 4.15 refers to matters a consent authority is to take into consideration as are of relevance to the development the subject of a DA. In this instance, the following matters are considered relevant, and have been considered during the design phase of the proposal and preparation of this SEE Report.

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

The proposed development is subject to the provisions and requirements contained within this SEPP. A BASIX Assessment has been undertaken and a BASIX Certificate issued, Certificate No. 1732637S, dated 17 January 2022. A

copy of the BASIX Certificate is attached to the DA submission. If Development Consent is granted, Council will impose relevant conditions to ensure BASIX commitments are incorporated as part of the approved development.

### **2.3 State Environmental Planning Policy (Resilience and Hazards) 2021**

#### **Chapter 2 – Coastal Management**

This chapter aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone that is consistent with the objects of the *Coastal Management Act 2016*. Objectives include managing development in the coastal zone and protecting the environmental assets of the coast. The Chapter also established a framework for land use planning to guide decision making in the coastal zone.

The land is identified within the Coastal Environment Area (Section 2.10) and Coastal Use Area (Section 2.11). Development consent must not be granted to development on land that is within these areas unless the consent authority has considered whether the proposed development is likely to cause an adverse impact; and is satisfied the proponent has taken all reasonable measures to avoid, minimise and/or mitigate that impact.

In recognition of the small scale development proposed and there being no increase in site density or intensification of use including the location of the site within a built up residential area, suggests that the matters as listed are not considered relevant in this instance.

The proposal is consistent with relevant zone objectives including applicable development standards and controls as contained in *CCLEP 2022* and *CCDCP 2022*. While potential impacts are considered unlikely, existing local planning and environmental controls are adequate for assessment purposes of small-scale infill development proposals.

The proposal is consistent with surrounding land uses and would not result in any adverse cumulative impacts to the built or natural environment.

As is demonstrated throughout this SEE Report and supporting documentation attached, the proposed development would not compromise or depart from the Aims and Objectives or other relevant matters within this SEPP.

During all construction works associated with the proposed development, ameliorative soil erosion and nutrient control measures would be implemented on site to reduce the potential of polluting downstream drainage systems and local waterways.

### **2.4 Central Coast Local Environmental Plan (CCLEP) 2022**

Under the provisions of this instrument, the land is zoned R2 – Low Density Residential. Surrounding land is also zoned R2.

The proposed development is consistent with relevant R2 zone objectives and permissible with Council Consent.

According to Council's online *CCLEP 2022* mapping the land is not bushfire prone, flood affected or within a mine subsidence district. The land does not contain an item of heritage significance, nor is it located within a heritage conservation area. The land is affected by the potential presence of Class 4 – Acid Sulfate Soils.

Relevant clauses are addressed below:

**Clause 4.3** refers to the Height of Buildings and requires that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum building height that applies to the site is 8.5 metres.

The proposed dwelling is single storey with a maximum building height of approx. 4.6 metres which is well below the 8.5 metre limit permitted.

The existing dwelling (proposed workshop) is single storey with a maximum building height of approx. 3.5 metres which is well below the 8.5 metre limit permitted.

**Clause 4.4** refers to Floor Space Ratio (FSR) and requires that the maximum FSR of a building on land to which this Clause applies is not to exceed the FSR shown for the land on the FSR Map. The land is not mapped as having a maximum FSR control under *CCLEP 2022*. As such, reference should be made to relevant Chapters of *CCDCP 2022* for maximum FSR controls that may apply to dwelling house developments on land zoned R2.

**Clause 7.1** refers to Acid Sulfate Soils. According to Council's online mapping the land is identified as having the potential to contain Class 4 – Acid Sulfate Soils which is defined as follows:

*'Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface'*

In recognition of existing site levels and nominated construction technique, there are no proposed works more than 2 metres below the natural ground surface. The proposed works would have minimal ground disturbance and no impacts on the watertable.

Based on the Class 4 - Acid Sulfate Soils definition and extent of site disturbance anticipated, impacts to the potential acid sulfate soil affectation is unlikely. Further assessment of this matter is not considered necessary.

**Clause 7.6** refers to essential services and requires that development consent must not be granted unless the consent authority is satisfied that the services essential for the development are available or that adequate arrangements have been made to ensure availability.

It is understood the site is serviced by Council's reticulated water mains supply and sewage system. Other essential services such as telephone and electricity are available to the site and satisfactorily service the existing dwelling.

Vehicle access will continue directly from Monash Road via a new driveway (materials to be confirmed).

The proposed development is considered to satisfy the aims and objectives and relevant development standards within *CCLEP 2022*.

## 2.5 Central Coast Development Control Plan (CCDCP) 2022:

### 2.5.1 Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development

The application has been assessed against relevant matters within this Chapter as per Table 1 and commentary below:

**TABLE 1:**

CONTROL	DESIGN REQUIREMENT	PROPOSED	COMPLIES
Height of Building (s2.1.2.1)	8.5 metres	The proposed dwelling is single storey with a maximum building height of approx. 4.6 metres which is well below the 8.5 metre limit permitted.  The existing dwelling (proposed workshop) is single storey with a building height of approx. 3.5 metres.	YES
Site Coverage (s2.1.2.2)	Max. 50%	< 50%	YES
FSR (s2.1.2.3)	Site not mapped under <i>CCLEP 2022</i> as FSR area.	N/A	N/A
Building Lines – Front Setback (s2.1.3.1a)	The average distance of the setbacks of the nearest 2 dwelling houses having the same primary road boundary	The existing dwelling (proposed workshop) is setback approx. 33 metres from Monash Road.  Based on the setbacks of the nearest two dwellings, the required front setback for the proposed dwelling should	YES

CONTROL	DESIGN REQUIREMENT	PROPOSED	COMPLIES
	and located within 40m of the lot on which the dwelling house is erected, or if 2 dwelling houses are not located within 40m of the lot - 4.5m	be 7765mm. The proposed dwelling is to be setback 7765mm from Monash Road.	
Rear Setbacks (s2.1.3.1b)	Where Height of Building (HOB) is <4.5m = 0.9m for 50% of rear boundary length otherwise 3m;  Where HOB is >4.5m = 6m	Proposed dwelling (HOB 4.6 metres) = 21 metres	YES
Side Setbacks (s2.1.3.1c)	Where HOB is <4.5m = 0.9m  Where HOB is >4.5m = 0.9m + ¼ HOB  Zero to one side only for a maximum length of 10 metres	<u>Eastern (side) Elevation:</u>  HOB <4.5m at boundary = 1040mm  <u>Western (side) boundary:</u>  HOB <4.5m at boundary = 900mm to carport and greater to dwelling.	YES
Outbuildings rear and side boundary setbacks (s2.1.3.1g)	For Lots with an area greater than 300m <sup>2</sup> :  Where HOB is up to 3.3m = 0  Where HOB is >3.8m = 0.5m + ¼ of the HOB above 3.8m  For Lots adjoining a laneway:  Zero for 50% of the boundary length (and as above for remainder)	The proposed workshop (ancillary outbuilding) with a maximum HOB of 3.7 metres (as existing) provides the following side setbacks:  <u>Eastern (side) Elevation:</u>  HOB <3.8m at boundary = 4.2 metres  <u>Western (side) boundary:</u>  HOB <3.8m at boundary = 1.7 metres  The proposed workshop (ancillary outbuilding) with a HOB of 3.7 metres (as existing) provides the following rear setback: <u>Southern (rear) Elevation:</u>  HOB <3.8m at boundary = 1 metre	YES
Views (s2.1.4.1)	Land and Environment Court Planning Principles relating to view sharing.	The proposed development is small in scale and consistent with the existing urban context. There would be minimal (if any) impacts to existing view corridors.  Based on the location, design, height and orientation of neighbouring dwellings it is anticipated that existing view corridors would remain uninterrupted.  Planning Principles established by case law identify how view sharing should be considered in assessing development. Considering the relevant principles, the bulk and scale of the development is generally a DCP compliant envelope by way of building setbacks and height. The development does not erode the expectations of the zone or Council's relevant planning controls.	YES

CONTROL	DESIGN REQUIREMENT	PROPOSED	COMPLIES
Privacy (s2.1.4.2)	Windows to main living areas and balconies must not face directly onto windows, balconies or the principal private open space (POS) of adjoining dwellings.	<p>As demonstrated on the attached Building Design Plans, a considered response to the location and size of new window/door openings has been applied with respect to room usage (ie: passive vs active) and neighbouring windows/balconies.</p> <p>Potential privacy/overlooking impacts are considered overcome by way of good design and careful consideration of window placement.</p> <p>The proposed dwelling provides generous building setbacks to respective property boundaries and would have no impact on privacy.</p> <p>The proposed dwelling is a compliant envelope which serves to protect neighbour amenity and reduce the potential for direct overlooking.</p> <p>There would be no privacy impacts to adjoining lands as a result of the proposed dwelling or conversion of the existing dwelling to a workshop.</p>	YES
Private Open Space (s2.1.4.3)	Accessible from living areas of the dwelling. Lots <10m wide at the building line = 16m <sup>2</sup> . Lots >10m wide at the building line = 24m <sup>2</sup> . Min dim of 3m. Not > than 1:50 gradient.	Remains as existing at >24m <sup>2</sup> and is directly accessible from living areas of the dwelling.	YES
Sunlight Access (s2.1.4.4)	On June 21, 50% of the required principal POS area for all dwellings should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm. On June 21, 50% of the required principal POS on adjoining land should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm.	The proposed development consists of single storey structures of modest proportions and would have minimal (if any) disruption to existing sunlight access. Overshadowing to neighbouring dwellings would be of no issue.	YES
Access and Car Parking (s2.1.5)	<p>Parking Rate: 1 space / 3br dwellings 2 spaces / 4br + dwellings</p> <p>Car parking should be located behind the primary road setback and/or secondary road setback.</p>	One covered car parking space is proposed in the form of an attached single vehicle carport. The driveway will provide ample hard stand space for any overflow parking.	<p>Number of parking spaces – YES</p> <p>Car Parking behind building line – YES</p>
Earthworks and Retaining Walls	Cut: < 1m if less than 1m from any boundary, or 3m if > than 1m from any boundary.	<p>There are no significant earthworks associated with the proposed development.</p> <p>Site disturbance would be limited to the placement of</p>	YES

CONTROL	DESIGN REQUIREMENT	PROPOSED	COMPLIES
(s2.1.6)	<p>Fill: &lt; 1m above existing ground level. No retaining wall for fill &lt; 1m of a side or rear boundary unless within 1.5m of any external wall of a dwelling.</p> <p>Retaining walls that are more than 600mm above or below existing ground level and within 1m of any boundary, or more than 1m above or below existing ground level in any other location, must be designed by a professional engineer.</p>	<p>concrete footings to support brick piers and a timber bearer and joist flooring system for the proposed dwelling.</p> <p>Other than minor internal alterations, there are no external works required to the proposed ancillary outbuilding (conversion of existing dwelling to workshop).</p> <p>Minor regrading works to the existing natural surface will be required to establish the new driveway.</p> <p>There is no cut, fill or retaining walls required.</p>	
Drainage (s2.1.6.3)	Drainage must be conveyed by a gravity fed or charged system to a public drainage system or interallotment drainage system.	<p>It is understood that roof water from the existing dwelling is disposed of to the legal point of stormwater discharge for the site assumed to be the public system in Monash Road and/or adjoining laneway. Conversion of this dwelling to a workshop will not alter the existing stormwater disposal arrangements.</p> <p>New roof water from the proposed dwelling is to be captured and directed to a 4,000 litre rainwater tank with overflow directed to a proposed absorption trench for slow release to the public system in Monash Road and/or adjoining laneway (subject to Engineer's design at CC stage).</p> <p>Surface water shall be appropriately graded and drained.</p>	YES
Outbuildings (s2.1.7.1)	<p>An outbuilding is not to be used as a habitable building.</p> <p>Maximum floor area of ancillary outbuildings on a lot zoned R1, R2, R3 or RU5:</p> <p>45m<sup>2</sup> for site area up to 600m<sup>2</sup>.</p>	<p>The existing dwelling, with a floor area of approx. 54m<sup>2</sup>, is to be repurposed and converted to a workshop (ancillary outbuilding). The existing kitchen is to be removed and the internal layout modified to make functional for the intended use.</p> <p>The floor area of the existing dwelling (proposed workshop) is 54m<sup>2</sup> and is greater than the maximum permitted by this Chapter.</p> <p>The building is existing and proposed to be repurposed. The 9m<sup>2</sup> non-compliance is marginal and would have no impacts on the built or natural environment. The proposal seeks to make efficient use of an existing structure, which is both cost-effective and environmentally sustainable.</p>	<p>YES (not for habitable purposes)</p> <p>NO (maximum floor area – see comments).</p>

### 2.5.2 Chapter 3.1 – Floodplain Management and Water Cycle Management

This Chapters aims to minimise the risk to human life and damage to property by controlling development on flood prone land. Land use, development and essential services shall be appropriately sited and designed to be



compatible with the applicable flood hazard category, adopted flood planning level and minimum habitable floor level that applies to a site.

However, as the former Wyong and Gosford Council's had adopted different methodology for the mapping of hazard zones and the treatment of risk, the Chapter is broken into 3 parts: Part A – General, Part B – Northern Area (former Wyong LGA) and Part C – Southern Area (former Gosford LGA). Part C applies to the Site.

According to Council's online CCLEP 2022 mapping, the land is not flood affected.

In terms of water cycle management, impervious areas on site would increase by approx. 152m<sup>2</sup> (including driveway) as a result of the proposed dwelling. This is not excessive and will be satisfactorily managed. Roof water is to be captured and directed to a proposed 54,000 litre rainwater tank with overflow directed to a proposed absorption trench for slow release to the public system in Monash Road and/or adjoining laneway (subject to Engineer's design at CC stage).

Roof water from the existing dwelling (proposed workshop) will continue to be disposed of to the legal point of stormwater discharge for the site assumed to be the public system in Monash Road and/or adjoining laneway. Conversion of this dwelling to a workshop will not alter the existing stormwater disposal arrangements.

Surface water shall be appropriately graded and drained.

### 2.5.3 Chapter 2.17 – Character and Scenic Quality (related documents – Scenic Quality and Character Statements)

The locality is identified as Umina – Creekland Bungalows (Place 7). It is understood Council must not grant development consent unless it has taken into consideration the existing and desired character of an area. The proposal is for a new dwelling with a floor area of 83m<sup>2</sup> and conversion of the existing dwelling to a workshop (ancillary outbuilding) with a floor area of 54m<sup>2</sup>.

The site is located within a well-established and low density residential neighbourhood. The proposed development generally complies with all relevant planning controls and aims to enhance the existing and desired character of the immediate vicinity by incorporating architectural elements and design features that are not dissimilar to adjoining dwellings. The proposed dwelling provides for renewed housing stock in the local area and would make a positive contribution to the locality.

The proposed development would essentially maintain the status quo and is appropriate for the intended use. The proposed development would not impact upon or alter the existing or desired character of the locality nor would the level of privacy and amenity currently enjoyed by neighbouring properties be interrupted. The proposal provides for appropriate building setbacks commensurate with the scale of development proposed. It is therefore put forward that the existing level of resident amenity would be maintained.

Tree or vegetation removal is not proposed.

The proposed development would not impact upon the established character of the locality and is in keeping with the scale and appearance of surrounding built form while respecting the physical features of the site and adjoining lands.

### 2.5.4 General

Tree removal is not required to accommodate the proposed development. If required, suitable tree protection measures shall be established on site prior to and during all construction works.

All works associated with the proposed development shall be carried out in accordance with relevant Australian Standards and the current edition of the National Construction Code (NCC).

Where necessary, adequate erosion and sediment control devices would be established on site prior to, during and post construction works in accordance with the requirements of Council.

Waste generated from works associated with the proposed development is likely to be minimal. Any leftover building materials should be reused onsite or appropriately recycled on or off site.

A Waste Management Plan has been prepared and is attached to the DA Submission.

Pursuant to Section 4.15 of the EP&A Act, 1979 the following relevant heads of consideration have been considered and addressed in this SEE Report:

- Context and Setting
- Access and Traffic
- Utilities
- Heritage
- Water
- Waste
- Natural Hazards
- Construction

Other relevant considerations include:

- Soils  
The site and soil conditions are conducive to the proposed residential development.
- Cumulative Impacts  
The implementation of suggested control measures, including erosion and sedimentation controls, retention of vegetation on site, provision for stormwater management and reuse, nominal earthworks and waste minimisation would reduce the likelihood of synergistic effects resulting from the proposed development.
- Social Impact in the Locality  
The proposed development involves the construction of a new dwelling in accordance with relevant R2 zone objectives and provisions of *CCLP 2022* and *CCDCP 2022*. There would be negligible social impacts in the locality.
- Economic Impact in the Locality  
Economic benefits would result from employment opportunities generated through works associated with the proposed development and subsequent flow on/multiplier effects on the local economy.

### **3. CONCLUSION**

The proposed development has been assessed against relevant heads of consideration as demonstrated above together with all applicable planning instruments and policies. Potential constraints have been duly considered and the site deemed suitable for the proposed development. Subject to the imposition of appropriate mitigation measures, the proposed development is not expected to have an adverse impact on the built or natural environment. The proposed development would complement the existing residential setting and meet the desired future character of the area.

In conclusion, it is submitted that the proposed development is appropriate for the site and should be supported by Council through the issuing of a favourable determination.

Yours faithfully

*Sherry Denton*

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