



# Statement of Environmental Effects

Demolition of an existing dwelling and construction of a dual occupancy (attached)

December 2023

Revised: January 2024

approved



# Statement of Environmental Effects

14 Bangalow Street, Ettalong Beach NSW 2257

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## 1.0 Introduction

Approved Pty Ltd hereby certifies that this Statement of Environmental Effects (SEE) has been prepared in accordance with the requirement of the Environmental Planning and Assessment Act 1979 and its associated Regulations. It is certified that to the best of our knowledge, the information contained within this report is neither false nor misleading.

## Document Details

<b>Revision</b>	<b>B</b>
<b>Prepared By</b>	Sandy Guy Town Planner

This SEE accompanies the Development Application (DA) to Central Coast Council for the Demolition of an existing dwelling and construction of a dual occupancy (attached) and associated installation of a retaining wall.

## Development Application Details

<b>Property Address</b>	Lot 23 /-/ DP 12967 14 Bangalow Street, Ettalong Beach NSW 2257
<b>Local Government Area</b>	Central Coast
<b>Zone</b>	R1-General Residential
<b>Existing Development</b>	Single dwelling house and ancillary structures.
<b>Calculations</b>	Lot Area: 585.6m <sup>2</sup> Dual Occupancy 1 Ground Floor Area: 73.69m <sup>2</sup> First floor Area: 79.60m <sup>2</sup> Garage: 20.54m <sup>2</sup> Dual occupancy 2 Ground Floor Area: 74.03m <sup>2</sup> First Floor Area: 80.05m <sup>2</sup> Garage: 20.68m <sup>2</sup>

The statement is intended to provide further details, where necessary, on aspects covered in the drawings as well as provide additional information where required. The information following is provided to detail the merit of the proposed development in relation to the provisions set out in both the Central Coast Local Environmental Plan 2022 and Central Coast Development Control Plan 2022. The DA and SEE have been prepared on behalf of the applicant and addresses the matters referred to in Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the matters required to be considered by the consent authority. The purpose of this Statement is to:

- Describe the existing environment to which the DA relates and the character of the surrounding area;
- Describe the proposed development;
- Outline the statutory planning framework within which the DA is assessed and determined; and
- Assess the proposed development in considering the relevant heads of consideration.

## 2.0 Site Location and Description



Figure 1: Aerial view, showing subject Lot outlined in red (Source: Nearmap).

The subject site (the site) is located on the southern side of Bangalow Street, within an established residential area. Surrounding development is predominately comprised of low-density residential accommodation.

The site is rectangular in shape and displays a total frontage width of approximately 11.88 metres (m), and maximum depth of 49.39 m. The site area is 548m<sup>2</sup>. The site is oriented on a north to south long axis and is relatively flat.

The site comprises a single storey dwelling house with scattered mature trees located in the southern portion of the site.

## 2.1 Proposed Development

The applicant is proposing to demolish a residential dwelling for the erection of an attached dual occupancy.

Specifically, the proposal includes the following details:

- Attached Dual Occupancy, with each dwelling comprising of three (3) bedrooms, master bedroom with ensuite and walk in robe, balcony, combined open dining, kitchen and living area, Loungeroom, bathroom, alfresco, and single car garage.
- External finishes include Colorbond roofing with matched gutters and downpipes, weatherboard cladding, aluminium windows, and timber doors.
- Both dwellings will feature individual vehicle access from Bangalow Street.
- Stormwater will be managed onsite by downpipes both dwellings will be connected to a 3,000L watertank and overflow directed to legal point of discharge (kerb).
- Minimal earthworks associated with the installation of drainage infrastructure and establishment of the building foundation (concrete slab) are proposed, contained within the building footprint. No significant excavation is required to facilitate the proposal.
- Erosion and sediment control measures will be implemented at the beginning of construction and maintained up until project completion.

Overall, the development is considered to increase residential amenity for the occupants, while displaying quality design and architectural features.

## 3.0 Statutory Requirements

This section deals with the proposal's consistency with the various statutory and non-statutory provisions. It also addresses the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

### 3.1 Commonwealth Legislation - Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environmental Protection and Biodiversity Conservation Act (EPBC) 1999, in conjunction with the Commonwealth Environmental Protection and Biodiversity Conservation Regulations 2000, provide the basis for national environmental protection and conservation.

The subject site is not situated on or near an area of environmental significance and does not contain any national environmental significance items.

#### Integrated Acts

Integrated development is development that, in order for it to be carried out requires the following approvals, and/or consideration of these Acts, under Section 4.46 of the EPA Act:

##### Roads Act 1993

New driveway access is required and will be sought under *Section 138 of the Roads Act 1993*.

### 3.3 State Environmental Planning Policies (SEPP)

The following State Environmental Planning Policies are considered applicable to the land and relevant to the proposal such as to warrant consideration:

#### State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 (SB SEPP) came into force on 1 October 2023 and applies to a range of both residential and non-residential development types. Residential buildings that are defined as 'BASIX development', mean "development that involves the erection (but not the relocation) of a BASIX building". Accordingly, the SEPP needs consideration.

The applicant submitted a valid BASIX Certificate and lists the commitments to achieve appropriate building sustainability and the commitments are included on the plan set. A condition is recommended to be included in the development consent requiring such commitments to be fulfilled.

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

##### Chapter 2:

The aim of this Policy is to promote an integrated and coordinated 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.

The subject site is identified within an NSW Coastal Management Area more specifically,

- I. Coastal environment area
- II. Coastal use area

The SEPP outlines matter that should be considered by the consent authority when determining an application on land to which the Policy applies. These matters have been considered in the below table:

**Matters for Consideration under SEPP (Coastal Management) 2018**

MATTERS FOR CONSIDERATION	RESPONSE
<b>Coastal Environment Area</b>	
(a) The integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,	The proposed development is unlikely to have any impacts on the biophysical, hydrological (surface and groundwater) and ecological environment of the surrounding area.
(b) Coastal environmental values and natural coastal processes,	The proposed development is unlikely to have any significant impacts on coastal processes and coastal hazards.
(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	The proposed development is not located within a marine estate. The proposed development will not impact sensitive coastal lakes.
(d) Marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms	It is unlikely that the proposed development will have a detrimental impact marine vegetation, native vegetation and fauna or their habitats. The subject site is not situated on or near an undeveloped headland or rock platform.
(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 have an impact on existing public access to and along the coastal foreshore.
(f) Aboriginal cultural heritage, practices and places	Given the site has a history of disturbance and is a fully developed urban area, it is unlikely that the proposed development will have a significant impact on the cultural places, values, customs, beliefs and traditional knowledge of Aboriginal people. An AHIMS Search was conducted by ApprovedPty. Ltd. which concluded no Aboriginal Sites or Places within 200m of the site.
(g) The use of the surf zone.	The subject site and development is not located within the surf zone.

MATTERS FOR CONSIDERATION	RESPONSE
<b>Coastal Use Area</b>	

i. Existing, 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 affect existing public access to and along the coastal foreshore.
ii. Overshadowing, wind funnelling and the loss of views from public places to foreshores	The development contains generous, complying setbacks which minimise impacts on shading and loss of amenity. The proposal will not impact views from public places or create wind funnelling impacts and overall provides a positive outcome.
iii. The visual amenity and scenic qualities of the coast, including coastal headlands	It is unlikely that the proposed development will have a detrimental visual impact on scenic qualities of the area including the coast.
iv. Aboriginal cultural heritage, practices, and places	Given the site has a history of disturbance and is a fully developed urban area, it is unlikely that the proposed development will have a significant impact on the cultural places, values, customs, beliefs and traditional knowledge of Aboriginal people.
v. Cultural and built environment heritage	Given the site has a history of disturbance and is a fully developed urban area, it is unlikely that the proposed development will have a significant impact on European heritage, archaeological or historic significance.

## Chapter 4 Remediation

The site is not known to be identified as potentially contaminated and its previous and present use is unlikely to result in contamination issues. Therefore, in accordance with Chapter 4, further investigations and remediation actions are not necessary for the purposes of this proposal and development application.



## 4.0 Local Environmental Plans (LEP)

### 4.1 Central Coast Local Environmental Plan 2022

Consideration has been given with regards to the outcomes and prescriptive requirements of the Central Coast Local Environmental Plan 2022 (CCLEP 2022). The following Clauses are considered applicable to the proposal:

#### Part 2 Permitted or Prohibited Development

##### Clause 2.3 Zone objectives and Land Use Table

The site is zoned R1 – General Residential. The proposed development is defined attached dual occupancy and is permissible with consent in the R1 zone.

The objectives of the R1 zone are outlined below:

- 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.

An assessment of the proposed development against the relevant objectives finds that the proposal supports the above intentions. The applicant seeks consent for development, which will result in a positive outcome to the streetscape character and increase residential amenity. The proposal does not seek to hinder the day to day needs of residents, nor the walkable nature of the neighbourhood.

#### Part 2 Permitted or prohibited development

##### Clause 2.7 Demolition requires development consent

All demolition works will be conducted under a separate DA.

#### Part 4 Principal Development Standards

##### Clause 4.1B Minimum Lot Sizes for Dual Occupancies

The prescribed lot size for attached dual occupancies is 550m<sup>2</sup>.

##### Clause 4.3 Height of Buildings

The site is not prescribed a height of buildings control.

##### Clause 4.4 Floor Space Ratio

The prescribed Floor Space Ratio is 0.5:1

## Part 5 Miscellaneous Provisions

### Clause 5.21 Flood Planning

The site is located within Flood Precinct 1,2&3 a flood information certificate is included in this application. The minimum floor level required is 2.07mm

### Clause 5.22 Special Flood Considerations

Special flood considerations are prompted by sensitive or hazardous development, or development that a flood event could cause a particular risk to life or requires evacuation of people.

The site can be developed and occupied without significant risk to people and incorporates suitable construction and design while not adversely affecting the environment in the event of a flood. Therefore, the development is consistent with the objectives of this clause.

## Part 7 Additional Local Provisions

### Clause 7.1 Acid Sulfate Soils

The site is affected by Class 2 Acid Sulphate soils. The proposal does not involve any works via which the water table will be lowered more than 1m below the natural ground surface. Accordingly, neither an investigation into the presence of Acid Sulfate soils or an Acid Sulfate Soils Management Plan is required. A Geotechnical report has been provided as part of this application.

### Clause 7.6 Essential Services

The site is provided with essential services which will be made available to the new dual occupancies.

## 5.0 Development Control Plan (DCP)

### 5.1 Central Coast Development Control Plan 2022

Consideration has been given with regards to the outcomes and prescriptive requirements of the Central Coast Development Control Plan 2022. The following Parts are considered applicable to the proposal:

#### Chapter 2.2 Dual Occupancy and Multi Dwelling Housing

##### Section 2.2.2. Site and Context Analysis

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**2.2.2.1 Site and Local Context Analysis** A thorough site analysis has been undertaken. The development has been revised to result in a more functional and site responsive outcome with respect to streetscape, context, services, and vehicle access.

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##### Section 2.2.3 Building Scale

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**2.2.3.1 Height** The land is not mapped with a building height limit under the CCLEP 2022, therefore a height limit of 10m applies under this section of the DCP. The proposed dwelling has a height limit of 7.29m above natural ground level and complies with this control.

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##### Section 2.2.4 Building Density

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**2.2.4.1 Lot Size Requirements** In accordance with the CCLEP 2022, the land complies with the lot requirements for construction of a dual occupancy.

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**2.2.4.2 Floor Space Ratio** FSR control is specified for the site a FSR of 0.5:1 for dual occupancies must be observed. The proposal complies with a FSR of 0.2:1.

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**2.2.4.3 Site Coverage** The proposal features a total site coverage area of 44.39% compliant with the DCP control of 25%.

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##### Section 2.2.5 Building Setbacks

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**2.2.5 Building setbacks** The proposal displays compliant setbacks as below:

Front Setback – 6.1m

Side setbacks ground floor - 1m

Side setbacks first floor - 1.7m

Rear setback 11.06m

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## Section 2.2.6 Built Form & Articulation

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<b>2.2.6.3 Residential Address</b>	Each dwelling presents to Bangalow Street, it is not obstructing for neighbouring sites and the street numbering and entry can be clearly identified.
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## Section 2.2.7 Residential Amenity

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<b>2.2.7.1 Views</b>	It is acknowledged the new development will exceed the scale of pre-existing development on site, however, the development is considered compatible with the emerging context of the area and is not considered to impose an overbearing bulk against the streetscape. It is expected the development will not disrupt the amenity or view lines of adjacent neighbours.
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<b>2.2.7.2 Privacy</b>	The proposed development's siting and location of the primary living spaces and windows to habitable rooms will minimise the potential for unreasonable loss of privacy to adjoining development. Window openings are limited predominately to high set windows within the first floor. The rear alfresco retains adequate setback from the adjacent side boundaries alleviating overlooking opportunity. Privacy screening may be applied at the discretion of Council.
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On this basis, suitable levels of privacy will be achieved within the development.

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<b>2.2.7.3 Private Open Space Areas</b>	Each dwelling will be provided with suitable areas for use as Private Open Space, directly accessible from the living areas of the dwelling and capable of receiving the required levels of the solar access. Each unit is provided with private open space area in the form of rear alfresco, balcony and rear yard space as indicated on the Architectural Plans.
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<b>2.2.7.5 Sunlight Access</b>	Each dwelling receives suitable solar access and does not create overshadowing to neighbouring dwellings or sites. Shadow diagram plan has been provided as part of this assessment.
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## Section 2.2.8 Parking and Access

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<b>2.2.8.1 Car Parking</b>	Resident parking rates, as per Chapter 2.13 Transport and Parking, are 1 space per dwelling for dual occupancy with 3 or less bedrooms. At least one fully enclosed garage must be provided.
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In accordance with these requirements, each dwelling provides a single car garage.

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## Section 2.2.9 Earthworks and Structural Support

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### 2.2.9.1 Earthworks

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## Section 2.2.10 Landscaping

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<b>2.2.10.3 Deep Soil</b>	The site contains ample area for deep soil zone and planting if required.
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<b>2.2.10.4 Fencing</b>	The development does not propose any additional fencing.
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## Section 2.2.11 Building Services

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<b>2.2.11.1 Services – General</b>	The dwelling will be provided with water, onsite sewer, power, and suitable telecommunications services. Services have been designed into the development as required.
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**2.2.11.3 Stormwater Management** All stormwater runoff from the proposed development will be managed in accordance with Council's Water Management Guidelines and the latest issue of AS 3500.3, as applicable.

Each dwelling is provided with a minimum 3,000L rainwater tank, with overflow directed to the legal point of discharge (street kerb). Given the size of the proposed rainwater tank relative to the roof area and re-use required to comply with BASIX requirements, it is expected minimal overflow of water is to be experienced from the tank.

A detailed Stormwater Plan has been provided to show how the development has considered and complies with the provisions of Chapter 3.1 of the DCP.

**2.2.11.4 Garbage and Waste Services** A Waste Management plan is provided in accordance with Chapter 2.14 Site Waste Management. Ongoing residential waste will be stored in relevant bins and disposed of through the available collection services.

**2.13 Transport and Parking** Each unit will provide a single-car garage for each three (3) bedroom unit. The development complies with the provisions of this chapter, including parking rates as discussed above.

## Chapter 2.14 Site Waste Management

### Section 2.14.2. Waste Management Controls

**2.14.2.1 When is a Waste Management Plan Required?** A waste Management Plan (WMP) is required for this development and submitted with the application documentation.

**2.14.2.2 Waste Control Guidelines** The WMP has been prepared in accordance with the waste control guidelines of this section.

## Chapter 3.1 Floodplain Management/Water Cycle Management

**Part C  
Southern Area  
Watercycle  
Management (Former  
Gosford LGA)** The site resides within Flood Precinct 1,2&3. The development complies with a minimum finished floor level of 1.2m). A Flood Information Certificate and BASIX forms part of this application.

## Chapter 3.1 Geotechnical Requirements For Development

**3.7.1.2 Geotechnical Requirements** A Geotechnical report has been provided as part of the proposed development.

The proposed development includes erosion and sediment control to Council regulation as detailed on the plan that accompanies this application.

Accordingly, erosion and sediment control measures will be implemented prior to the commencement of works and maintained during the period construction in accordance with the requirements of *Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition - Vol. 1 (the 'Blue Book')* published by Landcom, 2004.

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## Chapter 3.5 Tree and Vegetation Management

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### 3.5.1.4 When do you need a permit from Council to remove vegetation

A tree is required to be removed to allow the proposed development location. The subject tree species is a Mulberry (Non-Native) and has been shown on the demolition plan.

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## 6.0 Environmental Effects

The proposed development has been evaluated with regard to the matters for consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) that have not been addressed elsewhere within this statement.

### The Provisions of any Environmental Planning Instrument – 4.15(1)(a)(i)

Consideration has been given to relevant Environmental Planning Instruments (EPI) above. The proposed development is not inconsistent with any EPI.

### The Provisions of any Draft Environmental Planning Instrument – 4.15(1)(a)(ii)

We are not aware of any Draft Instruments relating to the site or the proposed development.

### The Provisions of any Development Control Plan – 4.15(1)(a)(iii)

Consideration has been given to the provisions of the relevant Development Control Plan. The proposed development is not inconsistent with the objectives or controls within any DCP.

### The Provisions of any Planning Agreement – 4.15(1)(a) (iiia)

There are no Planning Agreements applicable to this application.

### The Provisions of the Regulations – 4.15(1)(a)(iv)

There are no Regulations applicable to this application beyond those discussed in this report.

### Likely Impacts of the Development – 4.15(1)(b)

#### Likely Impacts

##### Context and Setting

The proposal is appropriate for its location and with respect to adjoining land uses.

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<b>Access, Transport and Traffic</b>	<p>Additional residential traffic generated by the proposed development would not create any adverse impact on the surrounding road network.</p> <p>Increased traffic during construction activities will be appropriately managed.</p>
<b>Public Domain</b>	<p>The proposal would not result in any adverse impacts to the public domain.</p>
<b>Utilities</b>	<p>The proposal will be connected to the mains power and reticulated water. The site can suitably provide onsite sewerage management.</p>
<b>Heritage</b>	<p>There are no conservation areas or European heritage items, nor are there any items or places of Aboriginal significance in the locality.</p>
<b>Other Land Resources</b>	<p>The proposed development would have negligible impact on other land resources.</p>
<b>Water Quality</b>	<p>Stormwater management to Council regulation, identified on the Architectural Plans set, including reuse and infiltration where appropriate.</p>
<b>Soils</b>	<p>Soil profile considered and site topography suitably accounted for in the design of the development.</p>
<b>Air and Microclimate</b>	<p>The proposal is expected to have a negligible impact on the existing air quality and microclimate.</p>
<b>Ecological</b>	<p>There are negligible ecological impacts anticipated.</p>
<b>Waste</b>	<p>Residential use waste generated by both the temporary and then permanent occupation will be stored and managed onsite with weekly collection in the roadside service provided by Coffs Coast Waste Service.</p> <p>Waste generated during construction of the dwelling will be managed and disposed in accordance with the waste management plan, conditions, and regulations.</p> <p>Reuse and recycling will be used where practical during both construction and ongoing use.</p>
<b>Energy</b>	<p>The proposed development incorporates applicable energy efficient design features.</p>
<b>Noise and Vibration</b>	<p>Residential use noise will be commensurate with the area and have negligible impact. Noise and vibration during construction to be subject to Council conditions.</p>
<b>Natural Hazards</b>	<p>The site is mapped as being Bushfire Prone land. The siting and level of construction, plus ongoing asset protection measures will ensure that risk is minimised to every reasonable extent and therefore increased adverse risk to life or property is not expected.</p>
<b>Technological Hazards</b>	<p>None exist in respect to this type of development.</p>

<b>Safety, Security and Crime Prevention</b>	The development is designed and located to ensure safety and security would be maintained.
<b>Social Impact in Locality</b>	The proposal does not introduce a type of development or scale of development that would result in an adverse impact.
<b>Economic Impact in Locality</b>	No adverse economic impact expected, and the proposal would not impact future economic viability of the locality.
<b>Site Design and Internal Design</b>	The development has been designed with consideration for the onsite slope, views, and neighbouring land. It is a practical layout that utilises passive solar design and meets BCA requirements. It is commensurate to existing built form and context of surrounding locality.
<b>Construction</b>	The potential for construction impacts relate to noise, vibration, waste and sediment and erosion. These will all be appropriately managed and regulated to Council and BCA requirements.
<b>Cumulative Impacts</b>	None are likely to result from this scale of development.

## Ecologically Sustainable Development

Clause 193 of the Environmental Planning and Assessment Regulation 2021 note that Ecologically Sustainable Development (ESD) requires the effective integration of economic and environmental considerations in decision-making processes. The proposed development is considered to be able to comply with the ESD objectives for the site.

## Suitability of the Site for Development- 4.15(1)(c)

The subject site is considered suitable for the proposed development in this location. The SEE has demonstrated in detail that the site is suitable for the proposed development and the proposed works have the following merits:

- The proposed development is permissible development and will be consistent with the relevant zone objectives;
- The development maintains the rural landscape amenity of the locality;
- The proposal will not impact on adjoining, or onsite, rural land uses and activities;
- Efficient and well-considered design solutions are proposed catering for site attributes and the surrounding characteristics of the locality;
- Principal planning standards and controls are complied with; and
- There are no prohibitive constraints posed by the site or those adjacent.

## Submissions-4.15 (1)(d)

The proposal will be notified in accordance with the requirements of Council's community participation plan, providing opportunity for the public to comment on the development.

All reasonable concerns raised in any submissions will be considered if deemed substantiated by Council.



## Public Interest-4.15(e)

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.



## 7.0 Conclusion

The application for development seeks assessment and consent under the provisions of section 4.15 of the Environmental Planning and Assessment Act 1979. The development is a permissible use of the land under the Central Coast Local Environmental Plan 2022 and displays compliance with the objectives and controls of the Central Coast Development Control Plan 2022. It is therefore submitted to Council for favourable consideration, subject to conditions of consent.

