

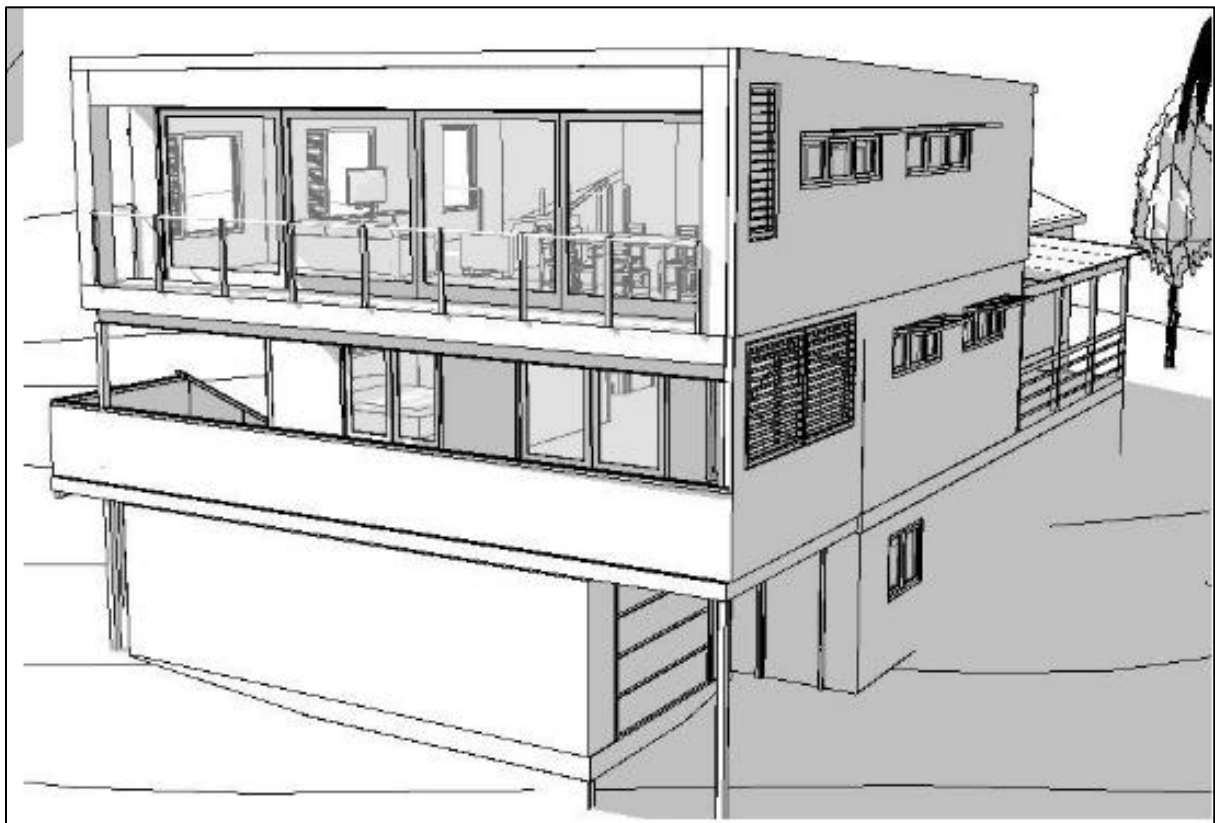
## Statement of Environmental Effects

Proposed Development | **Alterations & Additions to Existing Dwelling**

Property Address | **19 Stephen Street Forster NSW 2428**

Lot/DP | **Lot 26 DP 528412**

Property Owner | **Brian Baker, Amanda Baker, Greg Toms & Karen Toms**



**27 September 2024**

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## 1. Summary

### 1.1. Overview

This proposal seeks development consent for alterations and additions to an existing dwelling located at 19 Stephen Street Forster. The proposal predominately utilises the existing footprint of the dwelling with a small new addition above the northern section of the dwelling.

### 1.2. Scope of Report

This Statement of Environmental Effects has been prepared to accompany the development application for the proposed development and provides information as required by the *Environmental Planning and Assessment Act 1979* (EP&A Act) to assist in the assessment of the proposal. This document addresses matters that are required to be considered by the consent authority under the provisions of clause 4.15 of the EP&A Act.

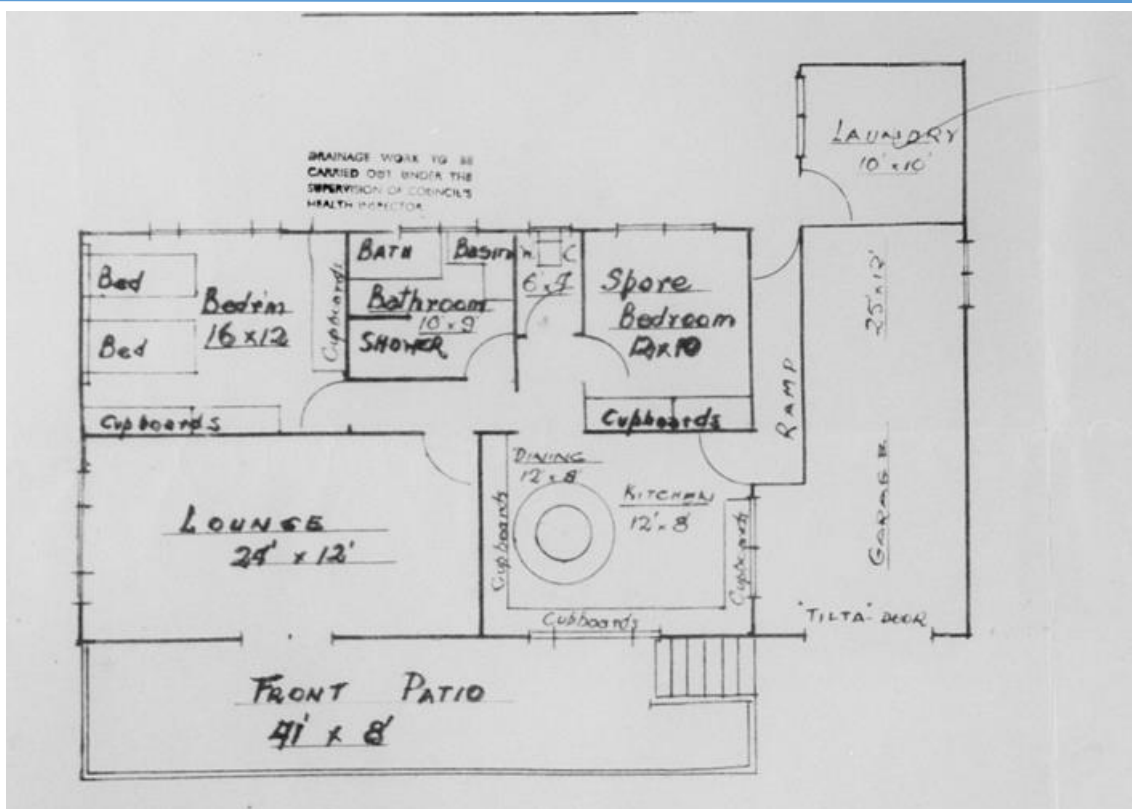
### 1.3. Site History

Development consent was granted by the former Great Lakes Shire Council on 16 February 1967 for the construction of a dwelling on the site, pursuant to BA 26/67. The approved floor plan of the dwelling, shown in Plate 1 below, comprises two (2) bedrooms with separate lounge room and kitchen, typical of dwellings constructed in this era. The approved plans show an attached garage, capable of accommodating one vehicle.

Approval was granted in 1972 (BA 85/72) to allow part of the front verandah, adjacent to the lounge room to be enclosed.

Over time minor alterations have been made to the dwelling such as the garage being converted to a bedroom. The internal wall between the kitchen and lounge room has also been removed to create a more open plan arrangement. A deck has been constructed on the northern side of the dwelling.

The proposed development seeks to incorporate these pre-existing changes and undertake further alterations to the dwelling. All existing and proposed new works will be compliant with Council requirements and the NCC.



**Plate 1: Dwelling Floor Plan approved pursuant to BA26/67**

## 2. Site Description

### 2.1. Site Details & Description

<b>Property Address:</b>	19 Stephen Street Forster NSW 2428
<b>Land Description:</b>	Lot 26 DP 528412
<b>Zoning:</b>	R2 – Low Density Zone
<b>Site Area:</b>	1024m <sup>2</sup>
<b>Owner:</b>	B & A Baker, G & K Toms

The subject land (the “site”) comprises land described as Lot 26 DP 528412 and is located at 19 Stephen Street, Forster. The allotment is located within the eastern part of Forster, within an established residential area south of One Mile Beach.

The irregular shaped allotment is bound by Stephen Street along its south- western (front) boundary. The adjoining land to the south, north-west and east contain residential dwellings.

The site contains an existing two storey dwelling comprising three (3) bedrooms, one (1) bathroom, an open plan kitchen, living and dining area. Given the slope of the landform the dwelling is constructed on bearers and joist which creates a subfloor void that has been enclosed. The existing subfloor is used for storage of general household items, as well as small watercraft. The existing dwelling has a gross floor area of approximately 148m<sup>2</sup>.

Primary access to the site is from Stephen Street via a sealed driveway, extending from the south-western boundary. A hardstand area provides designated parking spaces, forward of the dwelling.

The allotment is zoned R2 Low Density Residential zone under the provisions of the Great Lakes Local Environmental Plan 2014 and has a site area of approximately 1024m<sup>2</sup>.

The site comprises a gently sloping landform with a 3m fall over the site from the south-eastern corner of the allotment towards the north-western boundary, comprising an average slope of 6%. The site is classified as being bushfire prone land, however is not mapped as being flood prone land. The site contains class 5 potential acid sulphate soils.

A locality map and landuse zoning map depicting the subject land is provided in Figures 1 and 2 below.



**Figure 1 –Site Locality Plan**

**[source: Midcoast Council online mapping]**





**Figure 2 – Site Landuse Zoning Map** [source: Midcoast Council online mapping]

## 2.2. Site Context and Surrounding Area

The allotment is located within the coastal township of Forster, within the MidCoast Council Local Government Area. The site is located within the eastern part of Forster, situated approximately 3km south-east of the Forster CBD, within an established residential area south of One Mile Beach. The built form consists predominantly of single dwellings on standard sized residential allotments, comprising a range of architectural styles.

The site is located on the northern side of Stephen Street, a local neighbourhood road, predominantly utilised by local residents. The site is situated on land adjacent to the coastal headland, which connects One Mile Beach to Burgess Beach south of the site.

## 2.3. Topography and Soils Characteristics

The site comprises a gentle slope of approximately 6% (3.4 degrees) across the site. The landform falls away towards the north-western boundary and northern corner of the site.

The site is identified as being class 5 Acid Sulfate Soils, pursuant to Acid Sulfate Soils maps contained within the Great Lakes Local Environmental Plan 2014. A map depicting the site within the Acid Sulfate Soils map area is provided in Figure 3 below.



**Figure 3 – Acid Sulfate Map**

*[source: Midcoast Council online mapping]*

## 2.4. Contaminated Land

The site is not identified as being contaminated land and no potentially contaminating activities or developments are known to have previously occurred on the site.

## 2.5. Essential Services

Reticulated services including water, sewer and electricity are available to the site. All services are provided from the Stephen Street frontage. The existing dwelling is currently connected to Council's reticulated water and sewage infrastructure. A power pole is located adjacent to the existing driveway within the street frontage.

The site is currently provisioned with a domestic waste collection service for the dwelling.



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## **2.6. Easements and Restrictions on Title**

The site is unburdened by any easements or restrictions on title.

## **2.7. Site Access**

The site has direct vehicle access from Stephen Street, a sealed local road, adjacent to the south-western property boundary. The site is situation on a bend in the road which provides sight distances >80m in both a western and southern direction from the existing driveway at the property frontage.

## **2.8. Heritage**

### **2.8.1. European Heritage**

There are no items of European heritage listed as being present on the land or adjoining lands. The subject land is not located within a heritage conservation area.

### **2.8.2. Aboriginal Heritage**

An AHIMS search for the site did not identify any Aboriginal sites or places on the land. The site is not known to be an area of significance for local indigenous people.

## **2.9. Hazards**

### **2.9.1. Bushfire**

The site is classified as being bushfire prone land on maps held by the Council. A map depicting the site located within the mapped bushfire prone area is provided in Figure 4 below.

### **2.9.2. Flooding**

The site is not identified as being flood prone land pursuant to the Great Lakes LEP Flood Planning map.



**Figure 4 – Bushfire Prone Land Map**

*[source: Midcoast Council online mapping]*

### 3. Proposed Development

#### 3.1. Proposal overview

The proposed development seeks consent for alterations and additions to an existing dwelling. The proposal predominately utilises the existing footprint of the dwelling with a new first floor addition, located above the existing lounge room and Bedroom 1. The alterations and additions comprise the following works:

- Reconfigure existing Bedroom 1, Bedroom 2 and bathroom to construct new internal stairs and create two (2) separate bathrooms (Bath 1 and Bath 3).
- Convert existing Kitchen and Dining spaces to create Bedroom 2 and Bedroom 3.
- Reconfigure and expand existing laundry to create Bath 2 and separate laundry.
- Reconfigure floor plan to create hallway to connect to proposed new laundry.
- Construction of a first-floor addition with flat pitched roof design, comprising kitchen, dining and lounge room.
- Construction of a small first floor deck, extending from the northern elevation of the new addition
- Construction of a new double carport over the existing hard stand area

Architectural plans for the proposed development are provided in **Appendix A**.

The proposed alterations will create one (1) additional bedroom within the dwelling. The alterations will create new living spaces on the first floor. The proposed alterations will increase the gross floor area of dwelling by approximately 132m<sup>2</sup>, from 148m<sup>2</sup> to 280.07m<sup>2</sup>.

## 4. Planning Controls & Environmental Assessment

### 4.1. Rural Fires Act 1997

The site is identified as bushfire prone land. Pursuant to Section 79BA of the *Rural Fires Act 1997* the development requires consideration of the objective and measures contained within the NSW RFS document titled *Planning for Bush Fire Protection 2019* (PBP2019)

A bushfire assessment is provided in **Appendix C**. This report addresses section 1.1 and 7.3 of the PBP2019 for infill residential development.

The bushfire assessment makes recommendations for suitable bushfire mitigation and demonstrates that the proposed development is consistent with the objectives and requirements detailed in PBP 2019.

### 4.2. Environmental Planning and Assessment (EP&A) Act 1979

The objects of the EP&A Act are:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *to promote the orderly and economic use and development of land,*
- (d) *to promote the delivery and maintenance of affordable housing,*
- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *to promote good design and amenity of the built environment,*
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *to provide increased opportunity for community participation in environmental planning and assessment.*



The proposed development is consistent with the objects of the EP&A Act and will promote orderly and economic use and development of the land. The proposal promotes good design and amenity of the built environment, whilst ensuring careful consideration of the environmental values of the site. The assessment below provides justification for the development against the relevant matters that must be taken into consideration by the determining authority.

### 4.3. State Environmental Planning Policies

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

The *State Environmental Planning Policy (Resilience and Hazards) 2021* is applicable to the proposal, specifically Chapter 2 Coastal Management. The site is located within the area categories under the SEPP as being a “Proximity area for Littoral Rainforest”, “Coastal Environment ” and “Coastal Use” area, as shown in Figure 5 below.



**Figure 5 – SEPP (Resilience and Hazards) 2021 Coastal Management Areas Mapping**  
[source: Midcoast Council online mapping]

The proposed development relates to alterations and additions of an existing approved building and is infill development on a site that contains no native remnant vegetation. The proposal is consistent with the provisions contained within the SEPP as it:

- Is unlikely to impact on ecological or hydrological values in the area.
- Is not located within close proximity to coastal foreshores and will not impact on visual amenity or scenic qualities of the coast, including coastal headlands.
- Will not impact on water quality in any marine estate.
- Will not have a significant impact on the coastal environment.
- Will not have any adverse impacts on any existing public space, or access to or along foreshores.
- Will not have any adverse impacts on native vegetation, fauna or their habitats, headlands or rock platforms.
- Will not impact on the biophysical, hydrological or ecological integrity of the adjacent littoral rainforest
- Will not impact on the quantity and quality of surface water and ground water flows to/from the adjacent littoral rainforest

#### **4.3.2. State Environmental Planning Policy (BASIX) 2004**

The *State Environmental Planning Policy (BASIX) 2004* is applicable to the proposal. A BASIX certificate for the proposed alterations and additions is provided in **Appendix B**. The certificate demonstrates compliance with the provisions and targets for thermal comfort, and water and energy efficiency as established by the SEPP.

#### **4.4. Local Environmental Plan**

##### **4.4.1. Great Lakes Local Environmental Plan (LEP) 2014**

The site is zoned R2 Low Density Residential zone pursuant to the provisions of the Great Lakes Local Environmental Plan 2014 (LEP). The proposal predominately utilises the existing footprint of the dwelling with a small first floor addition. The proposal is considered low impact residential development and is consistent with the objectives of the R2 zone.

Detailed consideration of the relevant provisions of the LEP is provided below:

Development standard	Comments
4.3 Height of Buildings	Allowable: 8.5m Existing/Proposed: 8.46m
4.4 Floor Space Ratio	Allowable: 0.5:1 Proposed: 0.27:1
4.7 Flooding	The site is not identified as being flood prone.
7.1 Acid sulfate soils	The site is mapped as containing class 5 Potential Acid Sulfate Soils (PASS). Proposed works will not result in the exposure of these soils.
7.2 Earthworks	Minor earthworks are required to establish the foundations associated with the proposed additions. No significant cut or fill is required. The proposed works will not have a detrimental effect on soil stability or drainage patterns of the site.
7.5 Stormwater management	The proposal will not result in stormwater being directed onto adjoining lands or have an adverse impact on groundwater, native bushlands, wetlands or receiving waters. Stormwater drainage for proposed additions will connect to the existing drainage for the dwelling and be diverted to Council's stormwater infrastructure. WDS and OSD provisions do not apply to this development.
7.7 Riparian Land and Watercourses	The site does not contain a mapped watercourse or riparian land.
7.21 Essential services	The site is currently connected to all essential services including reticulated water, sewer and electricity.

## 4.5. Development Control Plan

### 4.5.1. Great Lakes Development Control Plan 2014

The Great Lakes Development Control Plan 2014 (DCP) makes detailed provisions which are applicable to the proposed development. The proposed development is consistent with the objectives of the DCP and is generally compliant with relevant provisions.

Detailed consideration of the relevant provisions of the DCP is provided below:

#### 4.5.1.1. Section 4 - Environmental Considerations

DCP Section	Comments
4.1 Ecological Impacts	The proposal will not result in any significant adverse ecological impacts. No vegetation will be removed to accommodate the proposed additions and alterations to the dwelling.
4.2 Flooding	The site is not identified as being flood prone.
4.3 Coastal Planning Areas	The site is not identified as being land within a coastal planning area.
4.4 Effluent Disposal	The existing dwelling on the site is connected to Council's reticulated sewage infrastructure.
4.5 Poultry Farms	The site is not located within the vicinity of a poultry facility.
4.6 Contaminated lands	The site is not identified as being contaminated land. Historical land use does not indicate any evidence of likely contamination.
4.7 Bushfire	The site is identified as being prone to bushfire. A bushfire assessment report is provided in <b>Appendix C</b> .

#### 4.5.1.2. Section 5- Single Dwellings, Dual Occupancies, Villas and Townhouses

DCP Section	Comments
5.1 Solar Access Buildings should be designed to allow at least two hours of sunshine upon the internal and outdoor living areas of adjacent dwellings and between 9.00 am and 3.00 pm on 21 June.	<u>Yes</u> The proposed alterations and additions will not impact on the solar access to internal living spaces within the dwelling or to dwellings on adjoining lands. Shadow diagrams are provided in <b>Appendix A</b> which shows the existing shadows cast by the currently dwelling. The additions to the dwelling will have no significant impact to the adjoining dwellings on 21 June.
5.2 Views and Privacy  In designing buildings the concept of 'view sharing' should be adopted by considering the impact of buildings on the views enjoyed by neighbours.	<u>Yes</u>  The proposed alterations and additions have been designed to minimise the impact of the development on existing views of adjoining lands. The new addition to the dwelling is significantly setback from all boundaries and has been designed with a flat-pitched roof. The addition is compliant with Building Height provisions of the LEP.



	<p>A minor impact on views experience may occur for the dwelling to the south, however the quantity and the quality of the view loss is not likely to be significant.</p> <p>Additionally, the quantity and the quality of views experienced from the adjoining dwelling is over a side boundary which is more difficult to protect. Given the location, landform and existing built environment surrounding the site, its expected that the value of views over the subject site is minimal.</p> <p>The proposal also has been designed to consider the visual and acoustic privacy of dwellings on adjoining lands. Suitable screening has been included for first floor verandahs to minimise opportunities for overlooking.</p>
<p>Visual privacy for adjoining properties and within development projects can where necessary, be achieved by:</p> <ul style="list-style-type: none"> <li>• Using windows which are narrow, translucent or obscured to bathrooms and toilets;</li> <li>• Ensuring that windows do not face directly onto the windows, balconies or courtyards of adjoining dwellings; or</li> <li>• Screening windows, balconies and courtyards within 3m of a property boundary.</li> <li>• Privacy screens should not impact upon existing view sharing arrangements.</li> </ul>	<p>The proposal also has been designed to ensure visual privacy of dwellings on adjoining lands is maintained.</p> <p>The building is significantly setback from boundaries which ensure privacy can be maintained.</p> <p>The alterations include screening on first floor verandahs to minimise opportunities for overlooking.</p>
Where windows or balconies of dwellings are within 9m of windows or balconies of other dwellings, some form of screening or reduction in window areas should be provided to ensure visual privacy.	No new windows or balconies are within 9m of dwellings on adjoining lands.
5.4 General Building Design	
Built form is to be articulated into a series of linked massing elements.	<u>Yes</u>

Each massing element is to have an overall maximum wall length of 12m.	The proposed alterations have been suitably designed given the context and setting. The proposal utilises the same footprint as an existing dwelling. The building responds to the site's constraints and no unarticulated massing wall element exceeds 12m in length.
Attached garages and carports must have a minimum 500mm setback from the front building line of the dwelling for which it is provided.	N/A – No attached garage/carport proposed.
Building entries/front doors should be directly visible from the street and preferably part of dwelling frontage.	<u>Yes</u> The proposed alterations will retain the existing front entry of the dwelling, which is accessed via a small entry deck and directly visible from the street.
To aid the environmental performance of buildings and for visual amenity of new buildings, eaves with a minimum width of 600mm to the north, east and west of the external perimeter or 70% of external walls should be considered.	<u>Yes</u> The building is compliant with the requirements of BASIX. Whilst no eave overhang is proposed to western elevation, suitable fixed shade structures have been proposed over west facing windows to improve the buildings thermal performance.
Building designs are to be stepped to follow the contours of the site rather than requiring extensive cut and fill to enable 'slab on ground' construction	<u>Yes</u> The proposed alterations are designed to utilise the existing footprint and foundations of the existing dwelling.
Colour and materials are to be sympathetic to the existing character of the street and natural setting of the locality. Highly reflective materials should be avoided. On sloping sites in built up areas, reflective, white and other light coloured roof materials should be avoided to reduce glare impacts to adjoining properties.	<u>Yes</u> The proposed alterations will utilise an off-white and light grey colour palette for external materials to modernise the appearance of the dwelling and complement the existing streetscape
5.5 Setbacks Residential Zones	
Minimum front setback	

<p>The primary road setback should be an average of the setbacks of the nearest two neighbouring houses, with the same primary road frontage</p> <p>Garages, carports and open car parking spaces must be setback at least 6m from the primary road frontage.</p>	<p>The existing dwelling is setback 15.9m from the front boundary. The proposed alterations seek to retaining this existing front setback.</p> <p>The two (2) nearest dwellings with the same frontage, have front setbacks of approximately 7m and 10m. Thus the required front setback for the site is determined as being 6.5m.</p> <p>The proposed carport will be setback 6.5m from the street frontage. A minor variation is sought to allow the carport to be located forward of the dwelling. Given the carport is significantly setback from the street frontage and is compliant with the building setback, the proposed carport will not create any adverse impacts on streetscape.</p> <p>It is considered that the proposed carport is reasonable given the context and setting of the development.</p>
<p>Minimum side setbacks</p> <p>A minimum of 900mm for a building with a maximum wall height of 3.8m.</p>	<p><u>Yes</u></p> <p>The existing dwelling is sufficiently setback from the existing side boundaries. The proposal will maintain the existing side setback of 1.7m from the southern boundary and 6m from the north-western boundary. Both existing setbacks are compliant with the DCP provision.</p>
<p>Minimum rear setback</p> <p>A minimum of 3m for a building with a maximum wall height of 3.8m.</p>	<p><u>Yes</u></p> <p>The dwelling is setback 8.5m from the rear boundary.</p>
5.6 Building Height	
<p>5.6.1.1 Outbuildings - Residential and Village Zones</p> <p>The maximum building height of an outbuilding must not exceed 4.8m above existing ground level.</p>	<p><u>N/A</u></p>
5.7 Cut and Fill	
<p>1) Visually exposed retaining walls and terraces shall not exceed 0.6m in height on the street frontage and 1.2m in all other areas.</p> <p>2) Cut and fill involving benched areas for landscaping shall be</p>	<p><u>N/A</u></p> <p>No cut or fill required.</p>

restricted to a maximum 25m2 per dwelling	
5.8 Private Open Areas	
<p>A ground level outdoor living space is to be provided for each dwelling with direct access from the ground floor main living areas which has a minimum area of 24m2 and minimum length and width of 4m.</p> <p>Private outdoor living areas are not to be located within the front building line setback to either the primary or secondary street frontages.</p>	<p><u>Yes</u></p> <p>The proposed alterations to the dwelling will retain an existing first floor verandah, comprising 35m2, on the northern elevation of the dwelling which extends from an existing living zone.</p> <p>The scale of the site and setbacks of the dwelling provide sufficient private outdoor areas at ground level for occupants.</p>
5.9 Fencing and Walls	
<p>Fences within the front setback area from a primary road are to be a maximum 1.2m high and a minimum 50% open construction for the upper two thirds of the fence.</p> <p>Fences on corner lots with two road frontages should be constructed with an open form (e.g. pool type fencing) within 3m of a corner to assist with sight distance requirements for drivers.</p>	<p><u>N/A</u></p> <p>No fencing alterations are proposed.</p>
5.10 Garages and Carports	<u>Yes</u>
100m2 for lots greater than 900m2	The proposed carport will have a floor area of 30m2.

#### 4.5.1.3. Section 10, 11, 12 and 13

DCP Section	Comments
<b>Section 10 – Parking and Vehicular Access</b>	
<p>Parking Rates</p> <p>Dwellings with a floor area greater than 125m<sup>2</sup> must be provided with a minimum of two (2) covered car parking spaces.</p>	<p><u>Yes</u></p> <p>The proposed alterations include the construction of a double carport which accommodates two (2) car spaces.</p>



Section 11 – Water Sensitive Urban Design	
Compliance with Water Quality Targets	N/A Council's WSD provisions do not apply to the proposed development.
Section 12 – Tree and Vegetation	
	N/A No native trees will be removed by this proposal.
Section 13 - Landscaped Area	
A minimum of 30% of the site area is to be set aside for landscaping preferably with native vegetation at existing natural ground level and a deep soil zone	<u>Yes</u> The site contains sufficient landscaped areas. More than 30% of the site area will remain landscaped.
Deep Soil Zone At least 50% of the landscape area is to include deep soil zones.	<u>Yes</u> Suitable areas are retained for deep soil zones. The proposed alterations predominately cover existing impervious areas.

## 4.6. Likely Impacts

The proposal involves alterations and additions to an existing dwelling. The proposed works are located within an established urban area and have been designed to ensure the preservation of the amenity of the surrounding area. The alterations have also been designed with careful consideration of view loss to adjoining lands and does not breach the building height provisions of the LEP.

The likely social, environmental and economic impacts associated with the proposed development are expected to be minimal. The development will not result in any significant adverse impacts to the ecological values or the existing amenity of the area.

### 4.6.1. Environmental and Ecological Impact

The proposed alterations and additions have been designed to minimise environmental disturbance by adopting effective safeguards to protect the health of the land and surrounding area. Stormwater will be directed to Council's existing infrastructure to prevent erosion and soil disturbance,.

The development will not have any significant impact on threatened species or endangered ecological communities.

#### **4.6.2. Traffic & Noise**

Suitable legal and physical access is currently available to the existing dwelling on the site. The proposal will retain the existing access and will not increase traffic in a manner that will adversely impact the amenity of the surrounding area.

The proposed development is for domestic residential use and does not include any noise generating activities. The development will not result in any noise impacts to the surrounding area.

#### **4.7. Site Suitability & Public Interest**

The site is considered suitable to accommodate the proposed alterations and additions and will not adversely impact upon the environment or amenity of adjoining lands. The proposed development is consistent with the objectives of all relevant legislative planning controls and is considered to be within the public interest.

### **5. Conclusion**

Development consent is sought to alter an existing dwelling within an established residential area in Forster. The proposal predominately utilises the existing footprint of the dwelling with a small first floor addition. The alterations proposed to the building are considered modest and reasonable, and have been designed to minimise view loss to adjoining lands.

The proposal is compliant with the objectives and relevant provisions of the Great Lakes LEP 2014 and is generally consistent with all objectives and provisions of the Great Lakes Development Control Plan 2014. No LEP variations are sought by the proposal.

The proposed alterations and additions will not dominate the surrounding built environment and are compatible with the character of the local area.

As demonstrated by this document, the proposed development is suitable development for the subject land and is compliant with all matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

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## Appendix A – Plans for Proposed Development

See Attached

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## Appendix B – BASIX Certificate

See Attached



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## Appendix C – Bushfire Assessment Report

See Attached