

# **Statement of Environmental Effects**

Proposed Development | **Dwelling, including demolition of existing dwelling** Property Address | **100 Becker Road Forster NSW 2428** Lot/DP | Lot 32 Sec 5 DP 22922 Property Owner | Ben Sounness & Erin Brown



5 December 2024

REF. SP138/2023 | SWIFT PLANNING | ABN 172 060 762 29 | Contact: 0493 115 995 | 🔤 peta@swiftplanning.com.au

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# 1. Summary

#### 1.1. Overview

This proposal seeks development consent for the demolition of an existing dwelling and construction of a new dwelling at 100 Becker Road Forster. The proposal predominately utilises the existing footprint of the dwelling.

The proposed dwelling includes a minor exceedance of the floor space ratio requirements for the site. As such a variation to this development standard is sought, subject to the provisions of Clause 4.6.

# **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.

# 2. Site Description

Property Address:	100 Becker Road Forster NSW 2428
Land Description:	Lot 32 Sec 5 DP 22922
Zoning:	R2 – Low Density Zone
Site Area:	474.2m <sup>2</sup>
Owner:	Ben Sounness & Erin Brown

## 2.1. Site Details & Description

The subject land (the "site") comprises land described as Lot 32 Section 5 DP 22922 and is located at 100 Becker Road, Forster. The allotment is located within the central part of Forster, within an establish residential urban area.

The site contains an existing two storey dwelling comprising three (3) bedrooms, two (2) bathrooms, rumpus and open plan kitchen, living and dining area and attached double garage. The existing dwelling has a gross floor area of approximately 225m<sup>2</sup>.

The land is an irregular shaped allotment, bound by Becker Road along its western (front) boundary. The adjoining land to the south, north and east contain residential dwellings of similar scale.



Primary access to the site is from Becker Road via a sealed driveway, extending from the western boundary.

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 474.2m<sup>2</sup>.

The site comprises a gently sloping landform with a 1.8m fall over the site from the eastern boundary to the north-western corner of the allotment, comprising an 6% slope. The site is not classified as being bushfire prone land and 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 central eastern part of Forster, situated approximately 2.8km east of the Forster CBD, within an established area of the township adjacent to 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 eastern side of Becker Road Drive, a local neighbourhood road, predominantly utilised by local residents. The site is located on a low, east-west orientated ridge which extends down towards One Mile Beach.

The site contains an existing two-storey masonry clad dwelling with gabled roof design, typical of the period of its construction, circa 1970. Plate 1 below depicts the built form of existing dwelling on the site.

Adjoining lands to the west, east and south comprise a mix of single storey and two storey dwellings, with a range of architectural styles reflective of the period when they were built. Plates 2 and 3 depict development on nearby land (105 Becker Rd) and nearby (109 Becker Rd) with varying built forms.





Plate 1– Existing two-storey masonry dwelling on the site, 100 Becker Road Forster (Source: Google Maps, Street View)



Plate 2– Existing built form of dwelling on land opposite the site, 105 Becker Road Forster (Source: Google Maps, Street View)





Plate 3– Existing built form on nearby land to the south-west of the site on 109 Becker Road, Forster (Source: Google Maps, Street View)

# 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 from the eastern boundary towards the north-western 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.

# 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.





Figure 3 – Acid Sulfate Map

[source: Midcoast Council online mapping]

# 2.5. Essential Services

Reticulated services including water, sewer and electricity are available to the site. All services are provided from the Becker Road frontage. The existing dwelling is currently connected to Council's reticulated water and sewage infrastructure.

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

# 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 Becker Drive, a sealed local road, adjacent to the western property boundary. Existing sight distances >500m are available in both northerly and southerly directions from the existing driveway at the property frontage.

The site obtains pedestrian access only from the Becker Road frontage.

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## 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 not classified as being bushfire prone land on recently revised maps held by Council and the NSW Rural Fire Service.

## 2.9.2. Flooding

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



# 3. Proposed Development

## 3.1. Proposal overview

The proposed development seeks consent to demolish the existing dwelling on the site and construct a new two-storey dwelling.

Plans for the proposed dwelling are attached in Appendix A.

The proposed dwelling includes a non-habitable basement level and two (2) levels of living spaces on the ground level and first floor level. The dwelling consists of four (4) bedrooms, three (3) bathrooms, an open plan living, kitchen and dining area.

The dwelling has been designed using slab on ground construction, a combination of masonry walls, metal balustrading, timber screening and glazing, with a flat roof design.

The proposed dwelling includes an internal lift for access to all levels of the building, as well as internal stairs. The dwelling has gross floor area of approximately 260.24m<sup>2</sup>.

A description of each element of the proposed dwelling is provide below:

#### 3.2. Floor Plan

#### **Basement Level**

The main entry point to the building is via the basement level. The proposed dwelling includes a large basement level garage, which vehicle access via a new sealed driveway. The garage has been designed to accommodate parking for several vehicles, which ensures vehicles are secure and remain out of the weather

Pedestrian entry to the building is via the main entrance door, with a secondary entrance adjacent to the southern boundary.

The basement level includes a storage area, a separate workshop, bathroom and sauna. Lift access is available from the basement level.

#### Ground Floor Level

The ground floor level comprises three (3) bedrooms, a bathroom, laundry and lounge room. A verandah extends along the full length of the western elevation, to create an outdoor covered area. This verandah includes a planter box, along the full length of the western edge of the verandah, adjacent to the street frontage. The verandah also includes timber batten screening along its northern side for privacy.



A smaller verandah extends along the full length of the eastern elevation, and also includes batten screening along its northern side for privacy. This verandah has direct access via external steps to the rear yard.

A central breezeway through the ground floor level connects to front and rear verandahs.

Lift access is available to the ground floor level.

#### First Floor Level

The first-floor level comprises an open plan kitchen, living and dining area, as well as the master bedroom with ensuite.

A covered verandah extends along the full length of the western elevation. The verandah includes timber batten screening along its northern and southern sides for privacy, as well as sliding batten screening along its western elevation for privacy from the street frontage.

A smaller verandah extends from the living area on the eastern site of the dwelling, and also includes batten screening along its northern side for privacy

Lift access is available to the first-floor level.

## 3.3. Stormwater Management

The proposed new dwelling includes the installation of a 2.5KL rainwater tank which will collect 100% of the roof area for reuse within the dwelling (toilets, laundry and outdoor area). The overflow from the rainwater tank, will be directed to the raingarden for treatment prior to discharging offsite to Council's stormwater infrastructure in Becker Road.

# 3.4. Fencing and Landscaping

The proposed development includes the construction of a 1.5m high fence along the front boundary, with security gate across the driveway. The proposed fence will be constructed of both masonry and metal materials, with the top metal portion of the fence being openstyle construction.

The proposed fencing also includes a solid masonry fence constructed along the northern and south boundaries, within the front setback. The height of the fence along the side boundaries will be stepped.



## 3.5. Services

Connection to Council's reticulated sewage and water infrastructure is available to the proposed dwelling. The proposed dwelling will be serviced by reticulated electricity supply (overhead) and Council's domestic waste services. No overhead powerlines are locate adjacent to the front boundary.

# 4. Planning Controls & Environmental Assessment

# 4.1. 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.



# 4.2. State Environmental Planning Policies

# 4.2.1. 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 "coastal use" area, as shown in Figure 4 below.

The proposed development is consistent with the provisions contained within the SEPP. The proposed development is a new dwelling on an establish residential site and is:

- > unlikely to impact on ecological or hydrological values in the area.
- 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 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.



Figure 4 – SEPP (Resilience and Hazards) 2021 "Coastal Use" Map [source: Midcoast Council online mapping]



# 4.2.2. State Environmental Planning Policy (BASIX) 2004

The *State Environmental Planning Policy (BASIX) 2004* is applicable to the proposal. A BASIX certificate for the proposed dwelling 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.

# 4.3. Local Environmental Plan

# 4.3.1. 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 utilises the footprint of an existing dwelling on which to construct the new dwelling. The proposal is considered low impact residential development and is predominately 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
	Proposed: 8.2m
4.4 Floor Space Ratio	Allowable maximum: 0.5:1
	Proposed: 0.549:1
	VARIATION Requested – See Appendix C
4.6 Variation to Development Standards	The proposed development seeks a minor variation
	to the floor space ratio.
	See Appendix C – Request to vary development
	standard.
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 new
	dwelling. Excavation to a depth of approximately 2m
	is required to establish the basement level. The
	proposed works will not have a detrimental effect on
	soil stability or drainage patterns of the site.
7.5 Stormwater management	The proposed dwelling includes suitable measures to
	mitigate the impacts of stormwater quantity and



	quality. The proposed dwelling is compliant with the Council's DCP for the treatment and disposal of stormwater to Council's stormwater infrastructure
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.

# 4.4. Development Control Plan

# 4.4.1. 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:

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 site is currently 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 not identified as being prone to bushfire.

# 4.4.1.1. Section 4 - Environmental Considerations

# 4.4.1.2. 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.	Yes The proposed dwelling will not significantly increase the 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 two storey dwelling on the site. The proposed new dwelling occupies a similar height profile to the existing dwelling, however utilises a contemporary flat roof design. The new dwelling will have a minor additional shadowing impact to the northern elevation of the adjoining dwelling at 102 Becker Road, between 11am and 1pm on 21 June.
5.2 Views and Privacy	<u>Yes</u>
	The proposed new dwelling will not impact on the existing views or visual and acoustic privacy of dwellings on adjoining lands. The proposal has been designed with effective mitigation measures, including fixed screens on above ground verandahs to restrict overlooking for neighbour lands. Given the fall of the land towards the road frontage, and that the site contains an existing two storey dwelling, the proposed dwelling will not result in any view loss from
	dwellings on sounding lands.
5.4 General Building Design	
Built form is to be articulated into a series of linked massing elements. Each massing element is to have an overall maximum wall length of 12m.	Yes The proposed dwelling has been suitably designed given the context and setting. The proposal utilises the same footprint as an existing dwelling, and extends further towards the eastern boundary. 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.	The site contains an existing attached garage which is setback approximately 9.8m from the Becker Road frontage. The new dwelling includes an articulation zone (which project 1.8m forward of the garage.
Building entries/front doors should be directly visible from the street	Yes



The proposed dwelling includes a front entry of the dwelling, which will be visible from the street. The front entry will be party obscured by fencing along the front boundary.
No The building does not include eave overhang however will ensure thermal efficiency and comfort to occupants through other mechanisms incorporated into the buildings design. The building is compliant with the requirements of BASIX. A variation is sought to this provision given that compliance with environmental performance of the building is achieved via BASIX.
No The proposed new dwelling will utilise the existing footprint of the dwelling, however excavation is required to establish a basement level that will sit approximately 1m below existing ground level. The FFL of the dwelling (ground floor) will be approx 0.9-1.0m above natural ground level. A minor variation is sought to this provision given the excavation relates to the basement level which sits below ground and will be consistent with the street level.
Yes The colours and material of the proposed dwelling will comprise neutral/off white tones contrasting with dark grey highlights compatible with the dwelling's modern architectural styling. The dwelling incused a combination of external materials including brick, rendered masonry, metal balustrading and timber battens to articulate the build form and create visual interest.
Yes
The proposed dwelling is setback 8.87m from the front boundary, and incorporates an articulation zone (planter box) which projects 0.85m forward of the building line. No. 98 and No. 102 Becker Road, the two (2) nearest dwellings with the same frontage, have front setbacks of
8.146m and 9.593m respectively. The required front setback
-



least 6m from the primary road frontage.	The garage associated with the dwelling will be setbac
nontage.	9.85m from the primary frontage.
Minimum side setbacks A minimum of 900mm for a building with a maximum wall height of 3.8m.	YesThe proposed new dwelling will be setback 1.25m from th northern boundary. Based on the greatest solid wall heigh along the northern elevation being 4.1m, the side setback required is 0.975m. A small section of open batten screenin has not been considered to comprise wall height in thi assessment.The dwelling will be setback 1.032m from the souther boundary. Based on the greatest wall height along th southern elevation being 4.2m, the side setback required i 1m. External stairs will be located adjacent to the souther boundary.Both side setbacks of the proposed dwelling are compliant 
Minimum rear setback A minimum of 3m for a building with a maximum wall height of 3.8m.	Yes The dwelling is setback >3m from the rear boundary.
5.6 Building Height	
<ul> <li>5.6.1.1 Outbuildings - Residential and Village Zones</li> <li>The maximum building height of an outbuilding must not exceed 4.8m above existing ground level.</li> <li>5.7 Cut and Fill</li> </ul>	<u>N/A</u>
<ol> <li>Visually exposed retaining walls and terraces shall not exceed 0.6m in height on the street frontage and 1.2m in all other areas.</li> <li>Cut and fill involving benched areas for landscaping shall be restricted to a maximum 25m2 per dwelling</li> </ol>	Yes The proposed dwelling includes a small, retained garden bee within the front setback to accommodate the rain garden fo treatment of stormwater. The proposed retaining works de not exceed 0.6m in height and will not adversely impact of the streetscape. Benched areas proposed are for outdoor paved areas and no associated with landscaping.
5.8 Private Open Areas	



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.	Yes The proposed dwelling will provide for suitable private outdoor spaces in the rear yard and extending from verandah associated with living spaces.
Private outdoor living areas are not to be located within the front building line setback to either the primary or secondary street frontages.	
5.9 Fencing and Walls	
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	No The proposed development includes fencing along the primary road frontage, however will have a height of 1.5m The fence includes a security gate across the driveway.
fence. Fences on corner lots with two road	The proposed fence will be constructed of both masonry and metal materials, with the top metal portion of the fence being 50% open-style construction.
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.	A minor variation is sought to the height exceedance of 0.3m given the proposed fence will not be visually obtrusive or adversely impact the streetscape or amenity of the area.

# 4.4.1.3. Section 10, 11, 12 and 13

DCP Section	Comments	
Section 10 – Parking and Vehicular Access		
Parking Rates	Yes	
Dwellings with a floor area greater	The proposed dwelling includes a basement garage which	
than 125m <sup>2</sup> must be provided	accommodate the required two (2) car spaces.	
with a minimum of two (2)		
covered car parking spaces.		
Section 11 – Water Sensitive Urba	n Design	
Compliance with Water Quality	Council's WSD provisions apply to the proposed development.	
Targets	The proposed development will divert 100% of roof water to a	
	2.5KL water tank, which will overflow to a 5m2 rain garden for	
	treatment prior to discharging off the site to Council's	
	stormwater system.	



	Using the deemed to comply provisions in Table 2 of the Chapter 11 of the GLDCP, the site area being rounded to 500m <sup>2</sup> , the proposal requires a 5m2 raingarden. Detailed plans for the proposed raingarden are provided in <b>Appendix A.</b>
Section 12 – Tree and Vegetation	
	Yes The proposal required two (2) trees to be removed. The removal of these trees will not result in any significant adverse ecological impacts.
Section 13 - Landscaped Area	
A minimum of 30% of the site area	Yes
is to be set aside for landscaping preferably with native vegetation at existing natural ground level and a deep soil zone	The site contains sufficient landscaped areas. More than 30% of the site area will remain landscaped.
Deep Soil Zone	Yes
At least 50% of the landscape area	Suitable areas are retained for deep soil zones. The proposed
is to include deep soil zones.	alterations predominately cover existing impervious areas.

# 4.5. Likely Impacts

The proposal involves the demolition of an existing dwelling and construction of a new dwelling on an established residential allotment in Forster. The proposed dwelling has been designed to ensure minimal impact to the privacy and amenity of adjoining lands.

The likely social, environmental and economic impacts associated with the proposed development are expected to be minimal with no significant adverse impact occurring on the ecological values or the existing amenity of the area.

# 4.5.1. Environmental and Ecological Impact

The proposed dwelling has been designed to minimise environmental disturbance by adopting effective safeguards to protect the health of the land and surrounding area.

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

# 4.5.2. Traffic & Noise



Suitable legal and physical access is currently available to the existing dwelling on the site. The proposal will reconfigure 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.

# 4.6. Site Suitability & Public Interest

The site is considered suitable to accommodate the proposed new dwelling 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 construct a new dwelling within an establish residential area in Forster. The proposal predominately utilises the footprint an existing dwelling on the site, and will include a new basement level,

The proposal is compliant with the objectives of the Great Lakes LEP 2014 and Great Lakes Development Control Plan 2014. A few minor variations are sought to Council's provisions for which justification has been demonstrated. The proposed dwelling will result in a minor exceedance of the floor space ratio provisions of the site. A variation to this development standard, consistent with Clause 4.6 is sought by this proposal.

The proposed development will not dominate the surrounding built environment and is 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 complaint with all matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.



Appendix A – Plans for Proposed Development See Attached



Appendix B – BASIX Certificate See Attached



Appendix C – Clause 4.6 Variation to Development Standard See Attached