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## STATEMENT OF ENVIRONMENTAL EFFECTS

Date February 2025

CWC Ref A5455

Lot 19 Section 14 DP 3259 | 267 Victoria Street, Taree



## Statement of Environmental Effects

# Proposed Demolition of the Existing Dwelling and Construction of a Multi-Unit Development with Strata Subdivision at 267 Victoria Street, Taree

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## 1.0 Introduction

Collins W Collins Pty Ltd has been engaged to prepare a development application for demolition of the existing dwelling and construction of a multi-unit development with strata subdivision at 267 Victoria Street, Taree. This Statement of Environmental Effects is to accompany the plans and specifications, and forms part of the application.

The proposal was discussed and reviewed at two pre-lodgement meetings; the first meeting on 31 January 2023, and the second meeting on 5 November 2024 – Application no. PL2024/0042.

## 2.0 Property Details

<b>Lot</b>	19	<b>Section</b>	14	<b>DP</b>	3259
<b>Address</b>	267 Victoria Street, Taree 2430				



**Figure 1:** Site Location, image from SIX Maps (sourced: January 2025)



**Figure 2:** Aerial View, image from SIX Maps (sourced: January 2025)

## 2.1 Site Characteristics

The subject site has an area of 1406.767m<sup>2</sup> with south-east orientation to Victoria Street. There is an approximate 1.6m fall across the site from south to north-east.

The site has an existing dwelling and detached shed, which are proposed to be demolished.

The neighbouring properties comprise of a mix of single dwellings, dual occupancies, multi-unit developments, and apartment units, with a variety of external materials and finishes. The subject site is adjoined by units to the north-east, dwellings to the south-west, and units to the north-west. Saint John's Anglican Church and St John's Memorial Hall are located to the south of the site.

The subject site is not identified as being bushfire prone.

## 2.2 Existing and Proposed Services

### Water

Council's records indicate that there is an existing 20mm metered water service from Victoria Street servicing the existing dwelling. It is proposed to relocate this existing water meter and provide additional water meters for the proposed multi-unit development.

### Sewer

Council's records indicate that there is an existing sewer main through the centre of the site, with an existing sewer junction servicing the existing dwelling. It is proposed to utilise this existing service for the proposed multi-unit development.

### Stormwater

Each unit is provided with a rainwater tank and, as per the hydraulic engineering, the proposal incorporates stormwater pits and raingardens to the front and rear of the site. It is proposed to utilise the existing stormwater pit at Victoria Street to the south-east of the site.

### 3.0 Proposal Overview

The proposal is for demolition of the existing dwelling and construction of a multi-unit development with strata subdivision at 267 Victoria Street, Taree.

The existing dwelling, detached shed, water tank and driveway crossovers are proposed to be demolished to provide for the proposed multi-unit development. Additionally, the proposal includes the removal of seven (7) trees.

The proposed multi-unit development comprises of eight (8) attached dwellings. Unit 1 is a two-storey dwelling with an attached carport. Units 2-8 are three-storey dwellings, each with an attached single garage.

Proposed Unit 1 has south-eastern frontage to Victoria Street, and comprises a two-storey, two-bedroom dwelling with attached carport. To the lower floor, Unit 1 provides an open plan kitchen/dining/living area and covered alfresco, and to the upper floor, Unit 1 has two bedrooms, one bathroom and a laundry.

Proposed Units 2-8 are three-storey dwellings. To the lower floor, each unit comprises of an entrance foyer, laundry, and attached garage. To the first floor, each unit is provided with an open plan kitchen/dining/living area, WC, and alfresco. To the upper floor, each unit is provided with three bedrooms and one bathroom.

The proposal includes three on-site visitor parking spaces; one visitor space to the front of the development, and two visitor spaces to the rear of the site.

The existing driveway crossovers are proposed to be demolished. Access to the proposed multi-unit development is to be by way of one new shared driveway and crossover from Victoria Street at the south-east of the site.

The proposal includes an application for Strata subdivision to create eight (8) strata titled lots and a common property area to include the driveway, visitor parking spaces and rear communal garden.

Due to the topography of the site, the proposal includes fill to a maximum of 1.35m. Retaining walls to maximum 1.4m high are proposed to the south-western side, north-eastern side and north-west of the site.

1.2m high fencing is proposed to the front of the site, to provide unit 1 with private open space. Additionally, 1.2m high and 1.5m high boundary fencing is proposed on top of the proposed retaining walls to the south-western and north-eastern boundaries, respectively. To the rear boundary of the site, 1.8m high boundary fencing is proposed.

## 4.0 General Information

<b><u>Site Suitability</u></b>	
Will the development:	
• Affect any neighbouring residences by overshadowing?	No
• Result in the loss or reduction of views?	No
• Impact on any item of heritage significance?	No
• Result in land use conflict or incompatibility with neighbouring premises?	No
• Be out of character with the surrounding areas?	No
• Be visually prominent with the existing landscape/streetscape?	No
• Require excavation or filling in excess of 1 metre?	Yes
• Require the display of any advertising signage?	No
Will the proposal:	
• Result in any form of air pollution (smoke, dust, odour)?	No
• Have the potential to cause any form of water pollution?	No
• Emit noise levels that could affect neighbouring properties?	No
• Be considered potentially hazardous or offensive (refer SEPP Resilience and Hazards for definitions)?	No
• Affect native or aquatic habitat?	No
• Have an impact on a threatened species or habitat?	No
• Involve the removal of any trees?	Yes
<b><u>Access, Traffic &amp; Utilities</u></b>	
• Are electricity and telecommunications services available to the site?	Yes
• Is lawful and practical access available to the site?	Yes
• Will the development increase local traffic movements and volumes?	Yes
• Are appropriate manoeuvring, unloading and loading facilities available on site?	Yes
<b><u>Waste Disposal</u></b>	
Provide details of waste management, including reuse and recycling: Individual bins to be collected via Council's contractors	
How and where will the wastes be stored: Within each unit's private open space area	
• Does the proposed use generate any special wastes?	No
• Will the use generate trade wastes (i.e. greasy or medical wastes)?	No

## 5.0 State Environmental Planning Policy

### 5.1 Sustainable Buildings 2022

A BASIX Certificate, and a NatHERS Certificate to satisfy the Thermal Comfort section, have been submitted demonstrating that the proposed development will comply with the requirements of the SEPP.

### 5.2 Resilience and Hazards 2021

#### Part 2.2 Development controls for coastal management areas

The subject site is not mapped as being a Littoral Rainforest or Coastal Wetlands and is not within the proximity area for Littoral Rainforests or Coastal Wetlands.

### 5.3 Biodiversity and Conservation 2021

The subject site is not mapped as being a Koala Habitat area and is not located within an area of an approved Koala Plan of Management.

The proposal includes the removal of seven (7) trees.

### 5.4 Transport and Infrastructure 2021

The subject site does not have frontage to a classified road. The proposal has considered SEPP (Transport and Infrastructure) in regards to infrastructure and telecommunications relating to the subject site and proposed development.

## 6.0 Greater Taree Local Environmental Plan 2010

#### Clause 2.2 - Land Zoning

The subject site is zoned R1 – General Residential. The objectives of this zoning are as follows:

- *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.*

The proposed multi-unit development with subdivision is a permissible land use and provides a housing type that will meet the needs of a community segment. In this regard, the proposal is consistent with the R1 zone objectives.



**Clause 4.1 - Minimum Lot Size**

The minimum lot size specified on the Lot Size Map is 450m<sup>2</sup>. However, as per Clause 4.1(4), the minimum lot size does not apply to land that is to be subdivided by registration of a Strata plan.

**Clause 4.1A - Subdivision of Certain Residential Lots**

The proposal includes strata subdivision, with each unit to be connected to water and sewerage systems.

**Clause 4.3 - Height of Buildings**

The maximum height of buildings specified on the Height of Buildings Map is 11.5m.

The proposed new development has a maximum ridge height of 11.064m above existing ground level which complies with the LEP.

**Clause 4.4 - Floor Space Ratio**

The floor space ratio specified on the Floor Space Ratio Map is 0.6:1.

The proposal has a floor space ratio of 0.57:1, calculated in accordance with the LEP definition, which is compliant with LEP provisions.

**Clause 5.10 - Heritage Conservation**

The subject site is not identified as being a heritage item or an Aboriginal object, and is not located within a Conservation Area.

The subject site is adjoined by a Conservation Area to the south-west. However, the proposed development will not impact on the heritage significance of the adjoining Conservation Area.

**Clause 5.21 - Flood Planning**

The subject site is not identified as being within a Flood Planning Area.

**Clause 7.1 - Acid Sulphate Soils**

The subject site is mapped as having Acid Sulphate Soils, Class 5.

## 7.0 Development Control Plan

### 7.1 Greater Taree Development Control Plan 2010

	DCP Requirements	Proposal	Complies Yes/No
<b>D3.1 Cut and fill</b>	Max cut or fill 1m	No cut proposed Fill to max 1.35m	N/A No
	Council will consider permitting greater cut for split level on steeply sloping sites	Subject site has approx. 1.6m fall from south to north-east	Yes
	Where filling is required alongside a driveway, it shall be retained by a retaining wall.	Proposal incorporates retaining walls adjacent to the driveway	Yes
<b>G1 Car Parking and Access</b>	1 space per 2-bed unit 2 spaces per 3-bed unit Visitor parking: 1 space per 4 dwellings for developments less than 8 dwellings, otherwise 1 space per 3 dwellings	Unit 1: 1 carport space provided for the 2-bed unit Units 2-8: 1 garage space + 1 stacked hardstand space provided Visitor parking: 3 spaces provided for 8 proposed units	Yes
	The minimum width of an enclosed garage shall be 3m. The garage opening may be a minimum of 2.6m provided the width is sufficient to allow convenient access	4m wide garages proposed, with 3.2m wide garage doors	Yes
<b>H2.1 Site Coverage</b>	Max site coverage 65%	Site coverage approx. 36%	Yes
<b>H3.4 Multi Dwelling Housing</b>	Min lot size 1,000m <sup>2</sup>	Lot size 1,406m <sup>2</sup>	Yes
<b>H3.4 Front Setback</b>	Primary frontage: 7m  Where adjacent multi dwelling housing development is closer to the front boundary, the setback may be similar to that of adjacent development. Likewise, where adjacent development is set further back, Council may require a greater setback than the minimum otherwise permitted	Front setback 6.912m   The north-eastern adjoining unit building has a front setback of 6.743m and the south-western adjoining dwelling has a front setback of 5.667m. The proposed front setback exceeds the front setback of the adjoining dwellings	Yes

<b>H3.4 Side and Rear Setback</b>	Min side and rear setback calculated using the formula: $2.25m + H/4$	NE side Units 2-8: 4.7125m required 3.873m proposed	No
	Note: Where minimum setbacks are observed and it can be demonstrated that positive benefits will result in terms of: <ul style="list-style-type: none"> <li>• reducing the bulk of buildings;</li> <li>• improving the privacy of adjacent properties and</li> <li>• provided that there are no adverse environmental effects (such as overshadowing), the setback can be reduced by 50% for up to half the length of the wall or a maximum of 7.5m. This concession is applicable if the remaining portion of the wall is setback so that the area of open space between the wall and the boundary remains the same as that set by the distance calculated from supporting documentation such as shadow diagrams and privacy impact analyses.</li> </ul>	NE side Unit 1: 3.76m required 1.198m proposed SW side: 4.7125m required 5.422m proposed Rear: 5.016m required 9.448m proposed (Unit 8)	No   Yes  Yes
	Rear setback adjacent public reserve: 3.0m	N/A	N/A
	Min 3m setback from carriageway edge for multi dwellings fronting private streets	N/A	N/A
<b>H3.4 Car Parking</b>	Parking in the form of garages or carports provided at: 1 space per 2 bed dwelling 2 spaces per 3+ bed dwelling	Unit 1: 1 carport space provided for the 2-bed unit Units 2-8: 1 garage space + 1 stacked hardstand space provided	Yes  Yes
	Visitor parking: 1 space per 3 dwellings	3 visitor parking spaces provided for 8 proposed units	Yes
	Stacked parking permitted where it does not obstruct traffic movements	Units 2-8 provided with stacked parking with no obstruction to the driveway	Yes
	For developments of 6+ dwellings, the entrance driveway across footpath to building setback is min 5m wide	5.5m wide driveway crossover provided	Yes

<b>H2.4 Car Parking and Access</b>	Driveways minimum 3m wide	Driveway minimum 5.2m wide	Yes
	Garages and driveways do not dominate the street facade of the development	Units 2-8 garages do not front the street	Yes
<b>H2.3 Building Height</b>	Lowest floor level max 1m above natural ground level	Lowest floor level max 1.6m above natural ground level	No
	In areas mapped as having a permitted building height of 11.5m, development shall contain not more than three storeys at any given point	Three-storey development	Yes
	In areas mapped as having a permitted building height of 11.5m, the maximum height to the point of intersection of wall and eaves lines is to be 9m above the corresponding lowest storey at any point along the line of external walls	Maximum height to intersection of wall and eaves line is 9.1m	No
<b>H2.5 H3.4 Private Open Space</b>	Min 35m <sup>2</sup> per ground level dwelling, where: - Min dimension 4m - Open space contains area of 16m <sup>2</sup> with min dimension 4m - directly accessible from living room of dwelling	Unit 1: 75m <sup>2</sup> with min 4m dimension and alfresco with direct access from living room	Yes
	For dwellings above ground, POS should be a balcony, where: - min area 8m <sup>2</sup> - min dimension 2m - direct access from main living Area	Units 2-8 living areas located above ground level. Each unit is provided with a 9m <sup>2</sup> balcony with min dimension 2m and direct access from principal living area. Additionally, each unit is provided with at least 25m <sup>2</sup> of ground level POS.	Yes
		Furthermore, a communal garden of 126m <sup>2</sup> is provided to the rear of the site	
	Max 1:10 gradient.	Max grade 5%	Yes
	At least one principal living area must face predominantly north	Living areas with north-eastern orientation	Yes
	Screened for privacy	1.2m high, 1.5m high, and 1.8m high fencing proposed	Yes

<b>H3.4 Storage</b>	In addition to kitchen, linen and bedroom storage, storage to be provided at: - Studio, 1 and 2 bedroom apartments 6m <sup>3</sup> - 3+ bed apartments 8m <sup>3</sup>	Storage provided to the upper floor of each unit	Yes
<b>H2.10 Front Fencing</b>	Max 900mm high if solid  Max 1.5m high if 50% transparent  Max 10m length without articulation i.e. fence posts  Front fencing to provide POS screening max 1.5m high if on front boundary. If higher than 1.5m, must be setback 1.2m from front boundary.  All fencing behind line of dwelling, side and rear fences, max 1.8m high	1.2m high front fencing with 25% transparency    Max front fencing length 9.45m  Front fencing to provide POS for Unit 1, with max height 1.2m  1.8m high boundary fencing proposed   1.2m high boundary fencing proposed on top of retaining wall   1.5m high boundary fencing proposed on top of retaining wall	Yes    Yes  Yes  Yes
<b>H2.5 H2.6 Solar Access</b>	Shadow diagrams to be submitted for all 2 storey developments  Predominant living space and key POS maximises northern or eastern sun  Sunlight must reach at least 50% of the POS of both the subject dwelling and of any adjoining dwelling, for not less than 3 hours between 9:00am and 3:00pm on 21 June.	Shadow diagrams submitted  Living areas and POS areas have north-eastern orientation  Shadow diagrams demonstrate that sunlight will reach more than 50% of the POS of each unit for more than 3 hours on 21 June   Proposal will maintain solar access to the POS area of the north-eastern adjoining units   Proposal will maintain solar access to the south-western adjoining dwelling POS for more than 3 hours on 21 June	Yes  Yes  Yes

<b>H2.5 H2.6 Solar Access</b>	Minimum 3 hours solar access between 9:00am and 3:00pm on 21 June to principal living rooms of the proposed dwelling and the adjoining dwellings.	Proposal will provide more than 3 hours solar access to the north-eastern living room windows of the units on 21 June   Proposal will maintain more than 3 hours solar access to the adjoining dwellings on 21 June	Yes
<b>H2.9 Safety, Security and Entrances</b>	One habitable room window overlooking street	Unit 1 windows overlook Victoria Street	Yes
	Front entrance easily identified	Each unit's front entrance easily identified	Yes
	Separate and covered pedestrian entry to each dwelling.	Separate entry to each unit, setback from the driveway	Yes
	Front fences, garages and landscaping not to obstruct casual surveillance and permit safe access to dwelling	Proposal provides for surveillance of Victoria Street and provides safe access to each unit	Yes
<b>H2.7 Acoustic and Visual Privacy</b>	Min 3m line-of-sight separation between parking areas/streets and bedroom windows	More than 3m separation	Yes
	Where wall openings of adjacent dwellings opposite each other, min 3m separation	Proposed wall openings not within 3m of adjoining units	Yes
	Opposing windows and doors on adjacent lots offset	Proposed development angled and therefore not opposing adjacent dwelling windows or doors	Yes
	Min 9m required between the windows of habitable rooms of facing dwellings that abut a public or communal area. This distance should be increased to 12m for windows above first-floor level. Direct views between living area windows of adjacent dwellings must be screened or obscured where: <ul style="list-style-type: none"> <li>• Ground and first floor windows are within an area described by taking a 9m radius from any part of the window of the adjacent dwellings.</li> <li>• Other floor windows: 12m radius.</li> </ul>	Proposed development located out of alignment with adjoining dwellings   Proposed units not within 9m radius of north-western rear adjoining units   Proposed unit windows not within 9m radius of south-western adjoining dwellings   North-east adjoining units are single-storey, and the proposed first floor living area windows will therefore overlook the rooftop, with sill heights considered so that views will be out rather than down to the adjoining units' windows	Yes

<b>H2.7 Acoustic and Visual Privacy</b>	Overlooking of ground level POS from upper levels to be avoided e.g. through setbacks or landscaping	Proposed units are located out of alignment with adjoining lots   First floor and upper floor windows of the north-eastern elevation have 1.25m sill heights so as to not provide for views down to the communal POS area of the adjoining units, but rather, to provide solar access to the proposed units and views out above the rooftops   The south-western elevation includes one kitchen splashback window and a stair landing window only to the first floor of units 2-8, and a bedroom window to the upper floor. These windows have been designed to minimise overlooking, with no large living area windows proposed and an increased sill height   The proposal incorporates an increased rear setback to reduce overlooking of POS of the north-western adjoining unit	Yes
<b>H4.1 Ancillary Structures and Outbuildings</b>	Ancillary structures and outbuildings to be single storey  Max wall height 3m	N/A – no outbuildings proposed	N/A  N/A
<b>N1.2 Landscape Plans</b>	A Landscape Plan shall be submitted to Council in conjunction with the Development Application, or where otherwise required by Council	Landscape Plan submitted	Yes
<b>N1.4 Dual occupancy, multi- dwelling housing, residential flat buildings and mixed use development</b>	Landscaping should be used to create a pleasant living environment and include private open space; children's play areas and communal gardens  Fencing should be used to provide privacy and separate private open space from common open space	Landscaping incorporated into the design, including private open spaces areas and communal garden area, to create a pleasant living environment  Boundary fencing incorporated to provide privacy and security	Yes  Yes

## 7.2 Non-Compliances

We provide the following in relation to the non-complying issues identified in the table above:

**Issue:** Fill exceeds 1m

### **DCP 2010 Part D3.1 Objectives**

1. *Minimise cut and fill through site sensitive subdivision, road layout, infrastructure and building design.*
2. *Sensitively locate dwellings to ensure minimisation of site works prior to construction of a dwelling.*
3. *Minimise additional earthworks of lots during the dwelling construction phase.*
4. *Allow land forming only where it enhances the use and character of land.*
5. *Ensure no adverse impact occurs to local drainage characteristics (including peak flows, velocity and depth of flow).*
6. *Ensure land forming operations do not silt or pollute waterways, drainage lines and wetlands, damage topography or adversely affect bushland.*
7. *Ensure land forming does not increase the potential for the inundation of water on any other land during the full range of flood events.*
8. *Ensure appropriate environmental controls are applied to conserve the landscape and protect the surrounding environment.*
9. *Establish, maintain and promote appropriate rehabilitation and revegetation techniques to ensure the future use of land is not adversely affected.*
10. *Protect and enhance the aesthetic quality and amenity of the area by controlling the form, bulk and scale of land forming operations to appropriate levels.*
11. *Ensure properties in the vicinity are not adversely affected by any earthwork operations during or post construction.*
12. *All retaining walls shall be constructed in a manner that is aesthetically compatible with the surrounding environment.*

The proposal includes fill to a maximum of 1.35m. This is not consistent with part D3.1 of the DCP, which states that the maximum amount of fill shall not exceed 1m.

Due to the topography of the site, with approximate 1.6m fall from south to north-east, the proposal includes fill to provide for the level construction of the multi-unit development and to ensure sufficient stormwater management. The extent of fill varies from front to rear of the site, with a maximum fill of 1.35m.



The proposed fill is to be fully retained by retaining walls to the north-east, south-west and north-west of the site, to a maximum height of 1.4m. The proposed retaining walls are to be constructed in accordance with engineer's specifications to ensure that there are no adverse impacts to the neighbouring properties. The proposed fill and retaining walls will therefore not result in damage or instability to any neighbouring property.

The proposed retaining walls will incorporate adequate drainage measures to ensure that stormwater is drained away from the proposed units and will not result in any adverse impacts to stormwater drainage of adjoining properties. Stormwater engineering has been completed for the development to ensure that sufficient drainage is provided for the development and to ensure that the proposed fill will not result in adverse impacts to local drainage characteristics.

In consideration of the fill proposed, the development has been designed to ensure compliance with the maximum building height development standard. Additionally, as demonstrated by the shadow diagrams, the proposal will maintain more than 3 hours solar access between 9am and 3pm on 21 June to the adjoining dwellings and to more than 50% of the adjoining private open space areas. The proposed fill will therefore not result in the development adversely overshadowing the adjoining properties, with more than 3 hours solar access maintained on 21 June.

The proposal has been designed with consideration of privacy between neighbouring dwellings and private open spaces. With retaining walls proposed to maximum 1.4m high, the proposal incorporates boundary fencing on top of the retaining walls to maintain privacy to adjoining dwellings and between private open space areas. The angled siting of the units ensures that windows are located out of alignment with the windows of adjoining dwellings, and the proposed units are not within a 9m radius of the north-western or south-western adjoining dwellings. With single-storey units to the north-east, the proposed first floor and upper floor windows will overlook the rooftop of the adjoining units, and the increased sill heights will not provide for views down to the adjoining units' windows. Notwithstanding the proposed fill, the multi-unit development has been designed to maintain privacy to adjoining dwellings and private open spaces.

It is therefore considered that the proposal is consistent with the objectives of part D3.1 of the DCP. The proposal includes fill to provide for the level construction of the development and to ensure sufficient stormwater management. The proposed fill is to be fully retained by retaining walls that are to be constructed in accordance with engineer's specifications. The

proposed fill and retaining walls, to a maximum height of 1.4m, will not result in damage, instability or adverse alteration to drainage, will not result in adverse overshadowing of adjoining properties, and will maintain privacy to adjoining dwellings.

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**Issue:** North-eastern side setback less than 4.7125m

**DCP 2010 Part H3.4 Objectives**

- *Encourage high quality residential developments which feature a high standard of urban design and provide a high level of amenity for residents;*
- *Ensure that development sites have sufficient site area to accommodate appropriate setbacks and open space areas, including areas for deep soil planting and natural site drainage.*

The proposal includes a north-eastern side setback of 3.873m to units 2-8 and a north-eastern side setback of 1.198m to unit 1. This is not consistent with part H3.4 of the DCP, which states that the minimum side and rear required setback is calculated using the formula  $2.25m + H/4$ , equating to a required setback of 4.7125m for units 2-8 and a required setback of 3.76m for unit 1.

The proposal has been sited to maximise amenity and solar access for the proposed units and the adjoining properties, and is compliant with the front, rear and south-western side setback requirements. The driveway is located to the south-west of the site, thereby providing an increased south-western side setback to the units to minimise overshadowing to the south-western adjoining dwellings. The proposal has been sited to provide the principal living room window and private open space of each unit with north-eastern orientation, and this siting also ensures that the development will not adversely overshadow the north-eastern adjoining units. Due to the constraints of the site, including maximum site width of 20.62m, the proposal incorporates a north-eastern side setback that is less than required as per the formula. The proposal has been designed so that the units are not parallel to the side boundary, and therefore the side setback varies with the angle of the units. Unit 1 has a minimum north-eastern side setback of 1.198m, and units 2-8 have a minimum north-eastern side setback of 3.873m.

The proposal provides each unit with ground level private open space by way of an open yard, drying area and hardstand area, exceeding 35m<sup>2</sup> in

total. Additionally, with the principal living areas of units 2-8 located at the first floor, these units are also provided with a 9m<sup>2</sup> balcony directly accessed from the living area. The proposed side setback therefore allows for sufficient private open space for each unit, with north-eastern orientation to maximise usability and provide for a variety of outdoor activities and landscaping. The proposal is therefore compliant with the private open space requirements of the DCP.

As demonstrated by the shadow diagrams, the proposal will maintain more than 3 hours solar access between 9am and 3pm on 21 June to the north-eastern adjoining units. Additionally, the proposal will also maintain more than 3 hours solar access to more than 50% of the private open space areas of the north-eastern adjoining units on 21 June. Notwithstanding the reduced side setback, the proposal will maintain solar access on 21 June to all adjoining dwellings and allows adequate natural light and ventilation between the dwellings and to the private open spaces. The proposal is therefore compliant with the solar access requirements of the DCP.

The proposal has been designed to reduce perceptions of building bulk and to provide visual interest from Victoria Street and from neighbouring dwellings. The proposed multi-unit development incorporates articulation by way of articulated walls to each unit, angled upper floor, staggered siting of the units, two-storey unit to the street frontage, and an articulated roofscape. Furthermore, the proposal incorporates a variety of external materials and finishes, including brick to the lower floor, horizontal cladding to the first floor and vertical cladding to the upper floor to provide further visual interest and ensure that the development has the appearance of three individual levels to reduce perceptions of bulk. The proposal has been designed to ensure there are no large expanses of unarticulated walls to reduce perceptions of building bulk, and to provide visual interest to the north-eastern elevation with the inclusion of balconies to the first floor, staggered arrangement of the units, and a variety of external materials and finishes.

As an attached multi-unit development, the proposed design requires windows to the north-eastern and south-western elevation of each unit. To the north-eastern elevation, proposed unit 1 has only one stairs window to the first floor and one living room window to the lower floor that is screened by proposed 1.5m high boundary fencing. Proposed unit 1 will therefore maintain visual and acoustic privacy to the north-eastern adjoining units. Proposed units 2-8 incorporate only one laundry window to the lower floor of the north-eastern elevation, which is screened by the proposed 1.5m high boundary fencing. To the first floor, proposed units 2-8 incorporate one living room window and a balcony to the north-eastern elevation, and to the

upper floor, only bedroom windows are proposed. As a result of the angle of the proposed units, the windows are to be located out of alignment with the windows of the single-storey adjoining units. Further consideration has been given to the privacy between neighbouring units and private open space areas, particularly given that the north-eastern adjoining units are single-storey. The proposed first floor and upper floor windows and first floor balcony will overlook the rooftop of the adjoining units, and the windows have been designed with an increased sill height so as to provide for views out, rather than views down to the adjoining units and communal open space area. The proposal will therefore provide each unit with north-eastern solar access to the principal living room window, balcony and bedroom windows, whilst also maintaining privacy to the north-eastern adjoining units.

The proposed multi-unit development provides a high-quality residential development that contributes to the mix of housing types in Taree and supports an attractive streetscape. The proposal provides a high level of amenity for occupants, including compliant private open space areas, additional communal garden, north-eastern orientation to the principal living area and balcony, sufficient off-street parking, and safe and functional vehicular and pedestrian access. The setbacks are considered to be appropriate for the nature of the proposal, and the subject site is of a sufficient size to accommodate the proposed multi-unit development.

It is therefore considered that the proposal is consistent with the objectives of part H3.4 of the DCP. The subject site is of a sufficient site area to accommodate appropriate setbacks and compliant open space areas, including landscaping opportunities and sufficient stormwater drainage. The proposed north-eastern side setback is suitable for the multi-unit development and will provide amenity for occupants of the proposed units and also maintain amenity for occupants of the north-eastern adjoining units. The proposal incorporates sufficient private open space areas for each unit, including a first floor balcony to units 2-8, with north-eastern orientation to maximise solar access and usability. Additionally, the proposal will maintain privacy to the adjoining units, with boundary fencing, reduced window sizes and increased sill heights utilised to ensure visual and acoustic privacy is provided. As demonstrated by the shadow diagrams, the proposal will not lead to adverse overshadowing impacts to any adjoining dwellings or private open space areas, with more than 3 hours solar access maintained on 21 June. Furthermore, the proposed multi-unit development has been designed to provide visual interest and reduce perceptions of building bulk, including staggered arrangement of the units, articulation to each unit, an articulated roofscape, and a variety of external materials and finishes. The proposal therefore provides a high-quality residential

development that provides a high level of amenity for residents, supports an attractive streetscape and contributes to the housing mix in this locality.

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**Issue:** Lowest floor level of units 2-8 exceeds 1m above NGL | Height to the point of intersection of wall and eaves line exceeds 9m for units 2-8

**DCP 2010 Part H2.3 Objectives**

- *Maintain a low-rise residential character throughout the Greater Taree suburban areas, especially in areas of predominantly detached housing;*
- *Ensure dwellings are sensitively designed (i.e. height and bulk) and consistent with their surroundings, especially in scenic locations;*
- *Maintain and enhance existing levels of neighbourhood amenity, especially in relation to privacy, solar access, views and apparent building bulk;*
- *Avoid adverse visual impact on streetscapes;*
- *Minimise impacts of multi dwelling housing where the local area consists substantially of detached housing;*
- *Ensure that an appropriate relationship between the floor levels of adjoining development is maintained.*

The proposal incorporates fill, thereby resulting in the multi-unit development having a ground floor level that exceeds 1m above NGL, to a maximum height of 1.6m above NGL. Furthermore, the proposed multi-unit development provides a height to the point of intersection of wall and eaves lines that partly exceeds 9m, to a maximum of 9.1m. This is not consistent with part H2.3 of the DCP, which states that the lowest floor level of all development shall not be greater than 1m above natural ground level at any point, and that the maximum height to the point of intersection of wall and eaves lines is to be 9m above the corresponding lowest storey at any point along the line of external walls.

As previously noted, due to the topography of the site the proposal incorporates fill to provide for the level construction of the multi-unit development and to ensure sufficient stormwater management. The extent of fill varies from front to rear of the site, and as a result, the height of the ground floor above natural ground level varies, to a maximum of 1.6m. However, the proposal is considered to be appropriate for the site, with the height and scale of the multi-unit development being consistent with neighbouring multi-unit developments, including 263 Victoria Street located approximately 20m to the north-east. Notwithstanding the ground floor level exceeding 1m above natural ground level and the height to

intersection of wall and eaves line partially exceeding 9m, the maximum height of the development is compliant with the LEP provisions and is consistent with existing multi-unit developments.

Additionally, the proposal has been designed to reduce perceptions of building bulk from the adjoining properties and the street. In consideration of the streetscape and to reduce perceptions of bulk, proposed unit 1 has frontage to Victoria Street and comprises a two-storey unit with open carport, variety of external materials and articulated upper floor. The ground floor of unit 1 is less than 1m above natural ground level, and the height to the intersection of wall and eaves line is less than 9m. Proposed unit 1 is therefore consistent with part H2.3 of the DCP, and provides a reduced building bulk to the development frontage, with the height of the ground floor of units 2-8 above natural ground level not visible from the street frontage. The proposal has therefore been designed to support an attractive streetscape.

The proposal incorporates skillion roofs which provides further visual interest to the streetscape. As a result of the pitch of the skillion roofs of units 2-8, the height to the point of intersection of wall and eaves line partially exceeds 9m to the north-eastern side, whilst being a maximum of 8.2m to the south-western side. To the north-eastern side, the proposal therefore incorporates a variety of measures to reduce perceptions of building bulk, including articulation to the unit walls, different external materials to each level, staggered arrangement of the units, and an articulated roofscape.

Furthermore, as demonstrated by the shadow diagrams, the proposal will not adversely overshadow any adjoining dwellings or private open spaces. Notwithstanding the ground floor level exceeding 1m above natural ground level and the height to intersection of wall and eaves line partially exceeding 9m, the proposal is compliant with the solar access requirements of the DCP. The proposal will maintain more than 3 hours solar access between 9am and 3pm on 21 June to the adjoining dwellings and to more than 50% of the adjoining private open space areas. The proposed multi-unit development will therefore not result in adverse overshadowing of any adjoining properties, with more than 3 hours solar access maintained on 21 June.

As previously noted, the proposal has been designed to maintain privacy to adjoining units and private open space areas. In consideration of the height of the ground floor level above natural ground level, the proposal incorporates boundary fencing on top of the proposed retaining walls to maintain privacy. The proposal also incorporates increased sill heights to

the first floor and upper floor windows, and the units are located more than a 9m radius from the adjoining dwellings to the south-west and north-west of the site. With the angle of the units ensuring the windows are located out of alignment with the windows of adjoining units, the proposal provides north-eastern solar access to the proposed units, whilst maintaining privacy to the adjoining units.

The proposal is therefore consistent with the objectives of part H2.3 of the DCP. The proposed development has been sensitively designed in consideration of the topography of the site, incorporating fill to provide for the level construction of the units and to provide sufficient stormwater management. The proposed multi-unit development will maintain the residential character of the locality and will support an attractive streetscape with visual interest to the development frontage. The units have been sensitively designed, with a compliant building height and bulk that is consistent with neighbouring multi-unit developments in this area. The proposal will maintain neighbourhood amenity to adjoining dwellings, and will contribute to the mix of housing types in Taree. Proposed unit 1 has frontage to Victoria Street, with a floor level that is less than 1m above natural ground level and a height to wall and eaves line of less than 9m, and the proposal will therefore support an attractive Victoria Street streetscape.

## 8.0 Conclusion

The above assessment has been completed and the proposed demolition of the existing dwelling and construction of a multi-unit development with strata subdivision at 267 Victoria Street, Taree complies with:

- the State Environmental Planning Instruments;
- Greater Taree Local Environmental Plan 2010; and
- Greater Taree Development Control Plan 2010.

The proposal will not adversely impact on the natural or built environment.

The proposal will benefit the community, both socially and economically.

The proposal is suitable for the site.

This Statement of Environmental Effects is submitted to MidCoast Council for review.