

BUILDING DESIGNERS | INNOVATIVE | AFFORDABLE | INDIVIDUAL



STATEMENT OF ENVIRONMENTAL EFFECTS

Date March 2025

CWC Ref D5377

Lot 5 DP213365 | 9 Surfview Avenue, Black Head

Statement of Environmental Effects

Proposed Demolition of the Existing Dwelling and Construction of a New Dwelling with Attached Garage at 9 Surfview Avenue, Black Head

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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 new dwelling with attached garage at 9 Surfview Avenue, Black Head. This Statement of Environmental Effects is to accompany the plans and specifications, and forms part of the application.

2.0 Property Details

Lot	5	Section	-	DP	213365
Address	9 Surfview Avenue, Black Head 2430				



Figure 1: Aerial View, image from Six Maps (sourced: March 2025)

2.1 Site Characteristics

The subject site has an area of 746.8m² with east orientation to Surfview Avenue. The site has an existing single-storey dwelling with attached garage.

The neighbouring properties comprise of a mix of single-storey and two-storey dwellings with a variety of external materials and finishes. The subject site is adjoined by a dwelling to the south and two-storey dwellings to the north and west.

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 Surfview Avenue servicing the existing dwelling. It is proposed to utilise this existing water service for the proposed replacement dwelling.

Sewer

Council's records indicate that there is an existing sewer main at Surfview Avenue, with an existing sewer junction to the north-eastern corner of the site servicing the existing dwelling. It is proposed to utilise this existing sewer connection for the proposed replacement dwelling.

Stormwater

Council's records indicate that there are existing stormwater kerb adaptors at Surfview Avenue, servicing the existing dwelling. Stormwater discharge for the proposed new dwelling is to be via kerb and gutter, with the existing stormwater kerb adaptors to be relocated, if required, to suit the proposed new driveway location.

Telecommunication and Electricity

There are existing telecommunication and electricity connections to the existing dwelling that will be utilised for the proposed replacement dwelling.

3.0 Proposal Overview

The proposal is for the demolition of the existing dwelling and construction of a new dwelling with attached garage at 9 Surfview Avenue, Black Head.

The proposal includes demolition of the existing dwelling, driveway crossover and removal of four (4) bottlebrush trees.

The proposed new dwelling comprises of two storeys. To the lower floor, the proposed new dwelling provides three bedrooms, one bathroom, a rumpus, laundry, covered alfresco and attached double garage. To the upper floor, the proposed dwelling includes two bedrooms, two bathrooms, an open plan kitchen/dining/living area with pantry, linen cupboard, office, and front deck.

The existing driveway and crossover is proposed to be demolished, with access to the proposed new dwelling by way of a proposed new driveway and crossover from Surfview Avenue.

Due to the topography of the site, the proposal includes cut to a maximum of 1.49m and fill to a maximum of 707mm. Retaining walls are proposed to the north, west and south of the dwelling, to a maximum height of 990mm.

The existing timber boundary fencing to the northern, western and southern boundaries is proposed to be removed and replaced with new boundary fencing.

4.0 General Information

<u>Site Suitability</u>	
Will the development:	
• Affect any neighbouring residences by overshadowing or loss of privacy?	No
• Result in the loss or reduction of views?	No
• Impact on any item of heritage or cultural 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 erection or 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
<u>Access, Traffic & Utilities</u>	
• 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?	No
• Are appropriate manoeuvring, unloading and loading facilities available on site?	N/A

Waste Disposal Provide details of waste management, including reuse and recycling: As per the existing dwelling - individual bins collected via Council's Contractors How and where will the wastes be stored: Within the private open space	
• Does the proposed use generate any special wastes?	No
• Will the use generate trade wastes (ie 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 four (4) bottlebrush trees only.

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 for the subject site and proposed replacement dwelling.

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 replacement dwelling 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 450m².

The proposal does not affect the existing lot size of 746.8m².

Clause 4.3 - Height of Buildings

The maximum height of buildings specified on the Height of Buildings Map is 8.5m.

The proposed new development has a maximum ridge height of 8.377m above existing ground level which complies with the LEP and is consistent with neighbouring developments.

Clause 4.4 - Floor Space Ratio

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

The proposed new dwelling has a floor space ratio of 0.438:1, 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 a Heritage Item and is not located within a heritage 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
D3.1 Cut and fill	Max cut or fill 1m	Cut to max 1.49m Fill to max 707mm	No Yes
	Council will consider permitting greater cut for split level on steeply sloping sites	Site has fall of approximately 3.8m from south-west to north-east	Yes
	Development on land having natural gradient of 1:6.7 (15%) or greater requires geotechnical study	Geotech completed	Yes
H2.1 Site Coverage	Max site coverage 65%	Site coverage approx. 33%	Yes
H3.1 Front Setback	Primary frontage: 5m	9.35m	Yes
	Secondary frontage: 3m	N/A	N/A
H3.1 Side and Rear Setback	Single Storey: 900mm	N: 3.235m S: 3.0m W: 7.25m	Yes Yes Yes
	Second Storey: 1.6m	N: 2.385m S: 2.550m W: 8.90m	Yes Yes Yes
H3.1 Car Parking	2 off-street spaces behind building line	2 garage spaces provided	Yes
	Combined garage and driveway space must accommodate two vehicles behind street boundary	2 garage spaces provided Additional off-street parking at the driveway	Yes
H2.4 H3.1 Car Parking and Access	Driveways minimum 3m wide	5.0m wide driveway crossover	Yes
	Garage door setback 5m	Garage setback 12.04m	Yes
H2.3 Building Height	Lowest floor level max 1m above natural ground level	Partially exceeds 1m to north-eastern corner only	No
	Not more than two storeys at any given point	Two-storey dwelling	Yes
	Max 6m height to intersection of wall and eaves lines at any point along line of external walls	5.864m maximum height to eaves from lowest storey	Yes

H2.5 H3.1 Private Open Space	Min 80m ²	210m ²	Yes
	- directly linked to principal living Area	- alfresco accessed from ground floor rumpus upper floor deck accessed from living area	Yes
	- min 6m x 4m	- 6m x 4m areas	Yes
	Max 1:10 gradient. On steeper slopes, open space to be terraced	Max grade 5%	Yes
	Front POS forward of the building line only considered where lot is north facing	N/A	N/A
	At least one principal living area must face predominantly north	Northern windows to principal living area	Yes
	Screened for privacy	Existing boundary fencing to be replaced with new	Yes
H2.8 Views	Provision of a view analysis as a component of a site analysis to indicate that a proposed development reflects the desirability of protecting known views and the principles of view sharing. The view analysis of surrounding development is required to indicate the position of the proposal on its site, the location of adjoining buildings and the degree of view loss, if any, resulting from the proposal. Council may require the erection of a height profile structure certified by a registered surveyor on the site prior to determining an application.	The proposed replacement dwelling will not lead to view loss from adjoining or neighbouring properties The proposal will maintain the north-eastern water views from the front balconies of the southern and northern adjoining properties The topography of the locality means that neighbouring dwellings sit higher in the landscape and the proposed replacement dwelling will therefore not lead to view loss from neighbouring properties	Yes
H2.10 Front Fencing	Max 900mm high if solid	No front fencing proposed	N/A
	Max 1.5m high if 50% transparent		N/A
	Max 10m length without articulation i.e. fence posts		N/A
	POS screening max 1.5m high		N/A
	All fencing behind line of dwelling max 1.8m high	Existing boundary fencing to be removed and replaced with new	Yes

H2.5 H2.6 Solar Access	Shadow diagrams submitted	Shadow diagrams submitted	Yes
	Predominant living space and key POS maximises northern or eastern sun	Principal living area maximises northern and eastern sun	Yes
	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 demonstrate that the POS will receive more than 3 hours solar access on 21 June The proposal will maintain more than 3 hours solar access to the POS area of the adjoining dwellings	Yes
	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.	The proposed northern and eastern windows to the principal living area of the proposed dwelling will receive more than 3 hours solar access on 21 June Proposal will not overshadow the northern adjoining dwelling The proposed dwelling will maintain solar access to the southern adjoining dwelling's dining or kitchen windows for more than 3 hours between 12pm to 3pm on 21 June	Yes
	Where solar access cannot be achieved, demonstrate that the design maximises solar access e.g. skylights.	Proposal incorporates skylights to the kitchen, bathroom and walk-thru robe	Yes
H2.7 Acoustic and Visual Privacy	Min 3m line-of-sight separation between parking areas/streets and bedroom windows	Exceeds 3m	Yes
	Where wall openings of adjacent dwellings opposite each other, min 3m separation	Proposed dwelling exceeds 3m separation from existing adjoining dwellings	Yes
	Direct views between living area windows of adjacent dwellings must be screened or obscured where ground and first floor windows within 9m of adjacent dwellings, or other floor windows within 12m radius	No direct views No living room windows proposed to southern elevation Western living room windows not within 9m of adjacent dwellings Northern windows located out of alignment with the northern adjoining dwelling window	Yes

H2.7 Acoustic and Visual Privacy	Opposing windows and doors on adjacent lots offset	Proposed windows offset from adjacent dwelling windows	Yes
	Overlooking of ground level POS from upper levels to be avoided e.g. through setbacks or landscaping	Increased setbacks to reduce overlooking 9.05m rear setback	Yes
H2.9 Safety, Security and Entrances	One habitable room window overlooking street	Bedroom, office and living room windows overlook street	Yes
	Front entrance easily identified	Front entrance easily identified from the street	Yes
	Front fences, garages and landscaping not to obstruct casual surveillance and permit safe access to dwelling	No front fencing proposed Proposal provides for casual surveillance of the street and provides safe access to the dwelling	Yes

7.2 Non-Compliances

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

Issue: Cut to max 1.49m

DCP 2010 Part D3.1 Objectives

- *Minimise cut and fill through site sensitive subdivision, road layout, infrastructure and building design.*
- *Sensitively locate dwellings to ensure minimisation of site works prior to construction of a dwelling.*
- *Minimise additional earthworks of lots during the dwelling construction phase.*
- *Allow land forming only where it enhances the use and character of land.*
- *Ensure no adverse impact occurs to local drainage characteristics (including peak flows, velocity and depth of flow).*
- *Ensure land forming operations do not silt or pollute waterways, drainage lines and wetlands, damage topography or adversely affect bushland.*
- *Ensure land forming does not increase the potential for the inundation of water on any other land during the full range of flood events.*
- *Ensure appropriate environmental controls are applied to conserve the landscape and protect the surrounding environment.*

- *Establish, maintain and promote appropriate rehabilitation and revegetation techniques to ensure the future use of land is not adversely affected.*
- *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.*
- *Ensure properties in the vicinity are not adversely affected by any earthwork operations during or post construction.*
- *All retaining walls shall be constructed in a manner that is aesthetically compatible with the surrounding environment*

The proposal incorporates cut to a maximum of 1.49m. This is not consistent with part D3.1 of the DCP, which states that the maximum amount of cut shall not exceed 1m.

Due to the topography of the site, with approximate 3.8m fall from south-west to north-east, the proposal incorporates cut and fill to provide for the level construction of the dwelling. Whilst fill is proposed to less than 1m, the proposal incorporates cut to a maximum of 1.49m to allow for the level construction of the dwelling, which has been designed in consideration of the topography of the site. The proposal also incorporates retaining walls to the north, west and south of the dwelling, to a maximum height of 990mm. The proposed retaining walls are to be constructed in accordance with engineer's details to ensure that there are no adverse impacts to neighbouring properties. The proposed cut and retaining walls will therefore not result in damage or instability to neighbouring dwellings.

The proposed retaining walls will also incorporate adequate drainage measures to ensure that stormwater is drained away from the proposed dwelling, and to ensure that the proposal will not result in adverse impacts to stormwater drainage for neighbouring properties.

The proposal comprises a two-storey dwelling with floor level partially below natural ground level to the south and west. With the existing boundary fencing proposed to be replaced, the proposed dwelling will maintain privacy to adjoining dwellings. The proposed cut will therefore not impact on privacy of 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. Due to the topography of the site, the proposal incorporates cut to a maximum of 1.49m to provide for the level construction of the dwelling. As a result, the proposal also incorporates retaining walls to the north, west and south of the dwelling. The retaining walls are to be constructed in accordance with engineer's details to ensure

that there are no adverse impacts to adjoining properties. The proposed cut and retaining walls will therefore not result in damage or instability to adjoining dwellings, will not result in stormwater drainage impacts for the proposed dwelling or adjoining properties, and with the floor level partially below natural ground level with cut to the south and west, the proposed cut will not lead to privacy impact to adjoining dwellings or private open spaces. The proposed dwelling will utilise the existing stormwater drainage at Surfview Avenue, and the proposed development will therefore not adversely impact the local drainage characteristics.

Issue: Lowest floor level partially exceeds 1m above natural ground level

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 lowest floor level of the proposed dwelling partially exceeds 1m above natural ground level to the north-east of the dwelling. 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 levels at any point.

Due to the topography of the site, with approximate 3.8m fall from south-west to north-east, the proposal has been designed to allow for the level construction of the dwelling. This leads the proposal to incorporate cut and fill for the development, with the proposed dwelling having a lower floor level that is partially below natural ground level, and a lower floor level that also partially exceeds 1m above natural ground level to the north-east of the dwelling, due to the slope of the site.

The proposed replacement dwelling is considered to be appropriate for the site, with the height and scale of the dwelling being consistent with that of existing two-storey neighbouring dwellings. It is noted that the existing dwelling on site, and neighbouring dwellings, have a lower floor level that partially exceeds 1m above natural ground level due to the topography of the locality, and the proposed dwelling therefore provides an appropriate relationship with the lower floor levels of neighbouring dwellings. Furthermore, the maximum height of the dwelling is compliant with the LEP provision and is consistent with the height of neighbouring dwellings.

As a two-storey dwelling with a lower floor level that is partially below natural ground level to the south and west, the proposal maintains a low-rise character. The portion of the lower floor level that partially exceeds 1m above natural ground level is located to the north-east of the dwelling, and is not apparent from the front façade, which has been designed to support an attractive streetscape. To the front façade, the proposed dwelling incorporates articulation with front balconies, a variety of external materials and finishes including cladding, metal sheet roofing and stone wall, and provides an increased front setback of 9.35m. The proposal will therefore not lead to adverse visual impacts on the streetscape, and will be visually compatible in height and scale with existing dwellings of Surfview Avenue.

The portion of the lower floor level that exceeds 1m above natural ground level is located to the north-eastern corner of the dwelling. As demonstrated by the shadow diagrams, the proposal will not lead to any overshadowing of the northern adjoining dwelling, and the proposal incorporates an increased northern side setback to reduce impacts to the northern adjoining dwelling and to maintain neighbour amenity. Furthermore, the proposal will not lead to loss of views from neighbouring properties, and will not impact on the water views from the front balconies of the northern and southern adjoining dwellings.

It is therefore considered that the proposal is consistent with the objectives of part H2.3 of the DCP. The proposed dwelling has been sensitively designed in consideration of the topography of the site, with lower floor level partially below natural ground level and minimally exceeding 1m above natural ground level to the north-east of the dwelling only. The proposed lower floor level height above natural ground level is consistent with the existing dwelling and is consistent with that of existing neighbouring dwellings, which also have a lower floor level that partially exceeds 1m above natural ground level due to the topography of the locality. The proposed dwelling provides an appropriate relationship between the floor levels of adjoining dwellings, and provides a height, bulk

and scale that is consistent with existing two-storey neighbouring dwellings and is compliant with the maximum height provision of the LEP. The proposed dwelling maintains a low-rise residential character and supports an attractive streetscape with the inclusion of articulation, variety of external materials, front landscaping and increased front setback of the dwelling from Surfview Avenue. Furthermore, the lower floor level height to the north-east of the dwelling will maintain existing levels of neighbourhood amenity, with no overshadowing to the northern adjoining dwelling, no loss of views, and visual and acoustic privacy maintained. The dwelling therefore supports an attractive Surfview Avenue streetscape and has been sensitively designed in consideration of the site and locality.

8.0 Conclusion

The above assessment has been completed and the proposed demolition of the existing dwelling and construction of a new dwelling at 9 Surfview Avenue, Black Head 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.