



## STATEMENT OF ENVIRONMENTAL EFFECTS

ADDRESS – 32 William Street, Black Head NSW 2430

Lot/Section/Plan no: A/-/DP330509

New Manufactured Dwelling



Prepared for Shyam Sundar

June 2025



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## 1. Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) submitted to MidCoast Council for the proposed development at 32 William Street, Black Head NSW.

This SEE has been prepared by Parkwood Modular Buildings on behalf of the applicant, Shyam Sundar.

The subject property is situated within the MidCoast Local Government Area (LGA) and is zoned R1 – General Residential under the MidCoast Local Environmental Plan 2013 (MCLEP 2013). The proposed installation of a new manufactured dwelling is consistent with the objectives of the R1 zone, which seeks to provide for a variety of housing types while promoting residential amenity and compatibility with the surrounding neighbourhood character.

The development has been designed to integrate harmoniously with the existing built form, maintain privacy for adjoining residences, and ensure minimal disruption during the delivery and installation process.

This SEE has been prepared in accordance with the NSW Environmental Planning and Assessment Act 1979 (EP&A Act) and the Environmental Planning and Assessment Regulation 2021 (EP&A Reg). It provides a contextual overview of the site, outlines the nature of the proposed works, and assesses the development in accordance with the matters for consideration under Section 4.15 of the EP&A Act (formerly Section 79C).

This report includes:

- A description of the site and surrounding context
- A detailed explanation of the proposed development

This SEE should be read in conjunction with the following supporting documentation:

- Architectural plans for 32 William Street, Black Head NSW, prepared by Parkwood Modular Buildings

## 2. Site and Context

### 2.1 Site Description

The proposed development is located at 32 William Street, Black Head NSW 2430 and is identified as Lot A/-/DP330509. The proposal makes use of the 404m<sup>2</sup> of land, having a Street frontage of 10.66m and a depth of 38.50m. The proposed site is zoned R1– General Residential.



Figure 1: Site locality - Source: Six maps

The proposed dwelling is to be positioned to face north, ensuring optimal solar access while reducing reliance on artificial lighting and heating. The site benefits from unobstructed sunlight, with no overshadowing from surrounding properties, maintaining a well-lit and energy-efficient living environment.



The surrounding residential development along William Street, Black Head consists predominantly of detached dwellings that display a variety of architectural styles, building heights, and materials. The neighbourhood reflects a typical coastal village character with a mix of older beach-style homes and more contemporary infill development.

- **Building Heights:** Most dwellings are two-storey or split-level, taking advantage of the natural topography and elevated views toward the coastline.
- **Construction Materials:** The built form showcases a combination of lightweight cladding, brick veneer, and weatherboard, with a number of homes featuring metal roofing, timber detailing, and open balconies or decks.
- **Setbacks and Orientation:** Properties are generally set back from the street frontage with **driveways providing off-street parking**, often with garages underneath due to sloping terrain.
- **Design Themes:** Common design elements include open verandas, undercroft garages, skillion or gabled roofs, and large glazed areas to capture light and coastal views.

The surrounding context demonstrates a low- to medium-density residential environment, consistent with the R1 – General Residential zoning under the MidCoast LEP 2013. The proposed modular dwelling at 32 William Street is compatible with the existing built form and character of the local area in terms of scale, form, and materials.



Local development in William Street Black Head.

Source: Google



## 1. Zoning and Planning Controls

### 1.1 Zoning

The land is zoned R1- General Residential under Greater Taree Local Environmental Plan 2013



*R1 zoning of locality - Source: Planning Portal*

### 3.4 The Proposal

The application includes the installation of a new manufactured dwelling and the onsite construction of a garage. The full gamut of the proposal is illustrated within the architectural plans prepared by Parkwood Modular Buildings. The building is to be constructed off-site at Parkwood Modular Buildings factory.

The external finishes schedule is formed in the architectural drawings.

## 4. Environmental Planning Controls and Consideration

In determining a development application, a consent authority is to take into consideration the following LEP matters as they are of relevance to the subject of the development application: (a) the provisions of: (i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter under section 93F, and



(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates, ...

The following Environmental Planning Instruments are applicable to the subject land and have been duly considered in the preparation of this development proposal and application. The relevant Statutory Planning Controls include:

- The Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Lake Macquarie Local Environmental Plan 2014
- Lake Macquarie Development Control Plan 2013

#### **4.2 Hunter Regional Plan**

The regional plan draws from each council's local strategic planning statements and acknowledges common interests without duplicating effort.

As the Hunter grows, the region can become a healthy, sustainable and thriving place for everyone. This requires a strategic approach to provide greater housing diversity and affordability, in a region that offers equity and opportunity.

This regional plan sets the strategic land use framework for continued economic growth and diversification in one of Australia's most diverse and liveable regions.

#### **4.3 State Environmental Planning Policy (BASIX)**

A Basix Certificate is not required for manufactured dwellings.

*As a relocatable home is not within the definition of building under the Environmental Planning and Assessment Act 1979, a BASIX certificate is not required for this type of home.*

(This information was sourced from Planning Circular PS06-18)

#### **4.4 Greater Taree Local Environmental Plan 2010**

##### **Aims of Plan**

The GTLEP 2010 aims to guide sustainable development and land use planning in the Greater Taree region. Its specific objectives include:

- Promoting ecologically sustainable development.
- Managing and conserving natural and human-made resources.
- Encouraging orderly and economic land use to minimize conflicts.
- Facilitating the provision of community services and infrastructure.
- Protecting the environment, including native flora and fauna.
- Minimizing exposure to natural hazards.
- Supporting a diversified and self-reliant local economy.





### **Key Components**

The plan includes various maps and provisions that outline land use zones, permissible developments, and other planning controls. These components are essential for understanding the development potential and constraints of specific parcels of land within the region.

Comment:

The proposed manufactured dwelling at 32 William Street, Black Head complies with the Greater Taree LEP 2010. The site is zoned R1 General Residential, where manufactured homes are permissible with consent. The proposal aligns with zone objectives by providing appropriate low-density housing that is compatible with surrounding development.

The dwelling meets height, scale, and setback controls, and is consistent with the existing residential character. The site is fully serviced, and no environmental constraints (e.g. flood or bushfire risk) impact the development.

In summary, the proposal satisfies the intent and requirements of the GTLEP 2010 and represents a suitable residential outcome for the locality.



#### 4.5 – LEP 2010 Clause 7.1 Acid Sulfate Soils

The site is within a class 5 acid sulphate zone in accordance with Council's Acid Sulphate Soils Map. Generally, Acid Sulphate Soils are found lower than 1 metre Australian Height Datum (AHD) and often 0-0.3 metre AHD as such the likelihood of exposure to acid sulphate soils is minimal. Should acid sulphate soils be encountered during construction works, Council would be notified immediately and an Acid Sulphate Soils Management Plan, written in accordance with the NSW Acid Sulphate Soil Manual 1998 would be to be submitted to Council.

#### 4.6 Principal Development Standards

The table below summarises the relevant development standards of MCLEP 2013 against the proposal.

MidCoast LEP 2013			
Development Standard	Permissible	Proposed	Compliance
Height of Building	8.5m	7.850m	Yes
Floor Space Ratio	0.5:1	38%	Yes

#### 4.7 MidCoast Development Control Plan (DCP) 2010.

In assessing the proposal against MidCoast DCP 2010, Section 3.42 of the Environmental Planning & Assessment Act 1979 provides that the purpose of a DCP is to provide guidance and section 4.15(3A) (b) of the Act provides that DCP standards are to be flexibly applied, and non-compliance can be addressed through alternative solutions or addressing how a proposal otherwise achieves the objectives of the standard.



#### **4.8 Variation Request – Side Setback (Mid Coast DCP)**

We are seeking a variation to the side setback requirements under Section 4.8 of the Mid Coast Development Control Plan (DCP), specifically as they relate to the western boundary of the subject site.

Given the limited site width of 10.66 metres, strict adherence to the standard side setback requirement would unreasonably constrain the building envelope and compromise the design and usability of the proposed development.

Considering this constraint, we request consideration for a reduced side setback of 0.930 metres to the western boundary. This proposed variation is considered reasonable and appropriate for the following reasons:

- The narrow lot presents a site-specific constraint that limits compliance with the default setback provisions;
- The reduced setback will still maintain adequate separation between dwellings and ensure appropriate visual and acoustic privacy;
- There will be no adverse impacts on the neighbouring property in terms of overshadowing or amenity loss;
- The design remains consistent with the broader objectives and performance criteria of the DCP, promoting orderly development while accommodating site constraints.

We respectfully submit this variation for Council's consideration and believe it represents a balanced response to both regulatory expectations and practical site realities.

**NOTE: Email correspondence with Council dated 11 April 2025 confirms that a reduced side setback of less than 900mm is acceptable in this instance.**

DCP Requirement	Proposed	Complies
3.1.2.1 Building Height Maximum 8.5m	The proposal will not exceed the height limit of 8.5m	Yes
3.1.2.2 Site Coverage 50% for a lot of between 450m <sup>2</sup> and 900m <sup>2</sup>	The proposal will not result in any breach of the site limit coverage of 50%	Yes
3.1.2.3 Floor Space Ratio Maximum 0.5:1 (LEP 2014)	The proposal will not result in any additional gross floor area, and the dwelling remains below the allowed 0.5:1 FSR applying to the site.	Yes
3.1.3.1b Rear Setback	The proposal meets the required setbacks of 3m	Yes
3.1.3.1c Side Setback	The proposed side setbacks comply with the minimum requirement of 0.9 metres. <b>Note: The site has a width of 10.66 metres. Email correspondence with Council dated 11 April 2025 confirms that a reduced side setback of less than 900mm is acceptable in this instance</b>	No
3.1.4.1 Views 3.1.4.2 Visual Privacy	The proposals will not result in an adverse impact on views or privacy for adjoining properties, and a separate assessment of these matters is provided.	Yes
3.1.4.3 Private Open Space Areas 16m <sup>2</sup> for lot with a width of less than 10m at the building line	The proposal will not reduce the amount of private open space on the site.	Yes
3.1.4.4 Sunlight Access 50% of the required principal private open space on the site, and on adjoining land, to receive at least 3hrs sun mid-winter between 9am and 3pm	The proposal will not result in any additional shadow impacts beyond that of the existing dwelling.	Yes



#### **4. Access and Traffic**

All weather access provided by proposed concrete driveway to prevent the tracking of sediment.

#### **5. Air and Noise**

There will be no significant air or noise pollution associated with the proposed dwelling.

#### **6. Flora and Fauna**

No trees or Fauna will be required to be

#### **7. Energy**

The proposed dwelling considers the following energy conservation requirements.

Fixtures such as showerheads and taps in the kitchen, bathroom and toilets will have a minimum rating of 3 stars. This will further contribute to water conservation.

The ceiling cavity will be lined with R3.0 batts and all external walls will have R2.0 batts to improve the insulation of the building. The eaves will be 450mm to provide passive solar shading to most windows.

#### **8. Drainage and Erosion Control**

Downpipes connected to 2 x 5000ltr rainwater tank. Rainwater tanks connected to all downpipes. Overflow to Raingarden.

#### **9. Conclusion**

In conclusion, the proposal is for a new manufactured split-level dwelling which has been designed to complement the appearance and character of the area and surrounding properties. By minimising the impact on the adjoining properties, the dwelling will be built off-site and to the appropriate standards of all relevant AUS/NZ standards.

The proposal is consistent with the objectives of the R1 General Residential zone and is consistent with MidCoast Development Control Plan 2017.

An assessment of the proposal has been carried out pursuant to Section 4.15 of the Environmental Planning & Assessment Act 1979, which supports the proposal, and it is recommended that Council approve the application.