

CLARKE DOWDLE & ASSOCIATES

DEVELOPMENT CONSULTANTS

SURVEYORS • PLANNERS • ECOLOGISTS • BUSHFIRE CONSULTANTS

Statement of Environmental Effects

Shop front Awning

Lot 10 Sec R DP 9391

29 Booker BAY Road, Booker Bay



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1.0 Introduction

This Statement of Environmental Effects is part of a development application submission to Central Coast Council for approval the erection of a new shopfront awning at 29 Broken Bay Road, Ettalong Beach. This application has been prepared on behalf of the owner of the land and has been based on the plans and information provided in the plans prepared by the surveyors and within the relevant Titles.

An on-site inspection has been undertaken and a photographic record of the inspection is provided in this document. The owner of the shop has supplied all the relevant information required for the preparation of this document and should be read in conjunction with the accompanying architectural drawings together with any other supporting documentation.

2.0 History of the Site

Council records indicate that there have been numerous approvals on the site including the use for a shop in 1992 which has since been in operation.

3.0 Site Location and Description

The regular shaped 429.2m² suburban sized lot has a shopfront comprising glazing with aluminium frames and approximately 0.3 metre high masonry on top of the glazed shopfront with a generous awning that protects pedestrians from the elements. The surrounding development comprises a mix of commercial uses banks, retail shops, fast food outlets, bars, restaurants and small offices premises, a super markets and the like.

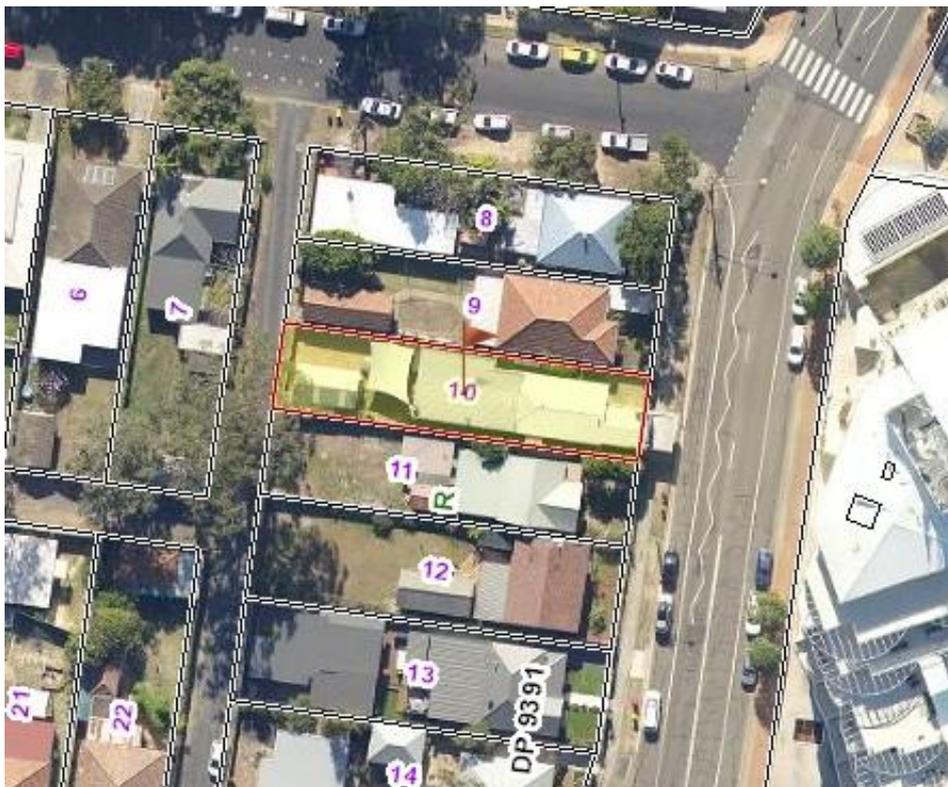


Figure 1 – Aerial Photograph of the site

LPI (June 2020)



Figure 2 – Photograph of the site

Source: CDA (June 2020)

4.0 Description of Proposal

The proposed development involves the replacement of a shop front awning as the current awning is structurally unsound. The new awning would extend out from the shop front wall / front boundary by 2.4m and run across the length of the shop front – 4.23m.

The awning would be 2.5m in height allowing sufficient clearance for pedestrians to walk underneath and obtain protection from the elements.

The awning would be painted in a light grey and white tones that would be harmonious with the existing shop external appearance – refer to figure 2.

The proposal does not include signage.

5.0 Environmental Planning Controls and Consideration

In determining a development application, a consent authority is to take into consideration the following 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

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

- *Gosford LEP 2014*
- *Gosford DCP 2013*

5.1 Gosford Local Environment Plan 2014

The *Gosford Local Environmental Plan* (LEP) is currently Council's primary planning control for development in the Gosford Local Government Area and establishes the requirements for the use and development of within the municipality. The LEP provides objectives, zones and principal development standards including minimum lot sizes, floor space ratios, densities and height of buildings. The zoning maps provided by Gosford City Council's website indicate the subject site is currently zoned R1 – General Residential. The proposed use falls under the definitions of a '*commercial premise*' under the LEP and is prohibited within the zone, however the site enjoys existing use rights in accordance with the provisions of the EPA Act 1979 as the shop was approved by Council in 1992 and the use has not been abandoned since this time.

Under the LEP the objectives of the R1 Residential zone are:

- *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.*
- *To ensure development is compatible with the desired future character of the areas covered by this zone.*
- *To promote best practice in the design of multi-unit housing or similar development.*
- *To ensure that non-residential uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for multi-unit housing or similar development.*

Comment:

- The proposal would not impede the functioning of the dwelling accommodation that provides alternative forms of housing that is located within close proximity of public transport and daily goods and services.

- The awning would allow the embellishing and upgrading along the street that is encouraged by the GDCP and the character statement for the Ettalong Beach district.

5.2 Gosford DCP 2013

Along with the Gosford Local Environment Plan 2014, Council's Development Control Plan 2013 outlines overarching objectives and prescriptive measures in relation to development standards and the use of land within the Gosford LGA. In this instance the proposed development is assessed as having regard to the relevant performance and prescriptive design standards within relevant chapters within the GDCP 2013. The proposal has been assessed against the overarching objectives and prescriptive measures and the shopfront awning complies with the DCP requirements.

5.2.1 GDCP 2013 – Chapter 7.2 – Waste Management

A waste management plan in relation to the disposal of waste during construction has been prepared and is provided with this application.

6.0 Built and Natural Environmental

The site is not located within a bushfire prone or heritage conservation area or in the vicinity of a heritage-listed item and is not constrained by landslip or flooding.

7.0 Social and Economic Impacts

No adverse social or economic impacts are anticipated as a result of the proposed development. The proposal will contribute to positive economic outcome by providing commercial opportunities and employment in relation to the operation of the commercial operations.

8.0 Suitability of the Site for the development

The site is of sufficient size and dimensions to accommodate the new awning. In view of the fact that the site is located within an established commercially zoned area and that all utility services would be available for the site, the proposed development would not infringe on these established services.

9.0 The Public Interest

The public interest is well served by the proposed development. In view of the minor nature of the development it is considered that the health and safety of the public will not be affected. The proposal will allow the appropriate embellishment of a small established shopfront that is located within the immediate vicinity of the Ettalong CBD.

10.0 Conclusion

As detailed within this report, the proposed replacement of an awning at 29 Broken Bay Road, Ettalong Beach is consistent with the objectives, planning strategies and controls applicable to the site. The appropriate assessment has been undertaken to ensure that the minor development would not be detrimental to the environmental or amenity aspects of the site. The proposal for the change of use of an existing commercial premises that is consistent with objectives of the business zone and the commercial uses operating within the surrounding area.

Given the proposal meets the objectives of the applicable planning instruments and the overarching strategic goals for Ettalong CBD precinct , it is considered that the proposal is suitable for the site.