

Statement of Environmental Effects

Demolition of existing structures;
Construction of a new single dwelling.

Lot: 47 Sec: 72 DP: 758566
46 Killarney Drive, Killarney Heights
New South Wales, 2087

Northern Beaches Council

Plan for Tomorrow™

M: +61 402 422 745

E: Tania@plan-for-tomorrow.com

W: www.plan-for-tomorrow.com



Statement of Environmental Effects

Table of Contents

Introduction	i
Local Character and Context.....	i
Local Character	ii
Neighbourhood Scale & Streetscape	ii
Site Scale	iv
Planning History	v
The Proposal	vi
Environmental Planning and Assessment Act 1979	viii
Section 4.15 of the Environmental Planning & Assessment (EP&A) Act 1979.....	x
(a) – the provisions of—	x
(i) – Provisions of any environmental planning instrument	x
State Environmental Planning Policies	x
Warringah Local Environmental Plan (WLEP) 2011.....	xii
(ii) – Provisions of any draft environmental planning instrument	xiii
(iii) – Provisions of any development control plan	xiv
Warringah Development Control Plan.....	xv
Part B – Built Form Controls.....	xv
Part C – Siting Factors	xvii
Part D – Design.....	xx
Part E – The Natural Environment	xxviii
(iii a) – Provisions of any planning agreement	xxxi
(iv) – Provisions of the Environmental Planning and Assessment Regulation 2001 (EP&A Regulation 2001)	xxxi
(b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	xxxii
(c) – the suitability of the site for the development	xxxiv
(d) – any submissions made in accordance with the EP&A Act or EP&A Regulation	xxxv
(e) – the public interest	xxxv
Conclusion	xxxvi

Revision

3/12/2024 – Issued to Designer – For Review

6/12/2024 – Issued to Designer – FINAL



Statement of Environmental Effects

Introduction

This Statement of Environmental Effects has been prepared to accompany an application for the Demolition of existing structures; Construction of a new single dwelling at the subject site being 46 Killarney Drive, Killarney Heights in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPA&A 1979).



Figure 1. Proposed Development at 46 Killarney Drive, Killarney Heights (sh.studio)

This Statement, along with the supporting plans and reports, provide all the necessary information to assist the consent authority in making an informed assessment and favourable determination of the proposal in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPA&A 1979).

Local Character and Context

Character is what makes a neighbourhood distinctive. It is created by a combination of the land, public and private spaces and how they interact to make a distinctive character and identity of an area.

This includes the interplay between buildings, architectural style, subdivision patterns, activity, topography and vegetation.¹

¹ <http://www.planning.nsw.gov.au/Policy-and-Legislation/Local-character>



Statement of Environmental Effects

Local Character

The area features well-established, low-density residential properties, predominantly comprising mid-century and contemporary homes that complement the natural surroundings of Killarney Heights. The subdivision pattern supports generous lot sizes, providing space for detached dwellings and landscaped gardens that align with the area’s family-oriented character. The sloping topography offers scenic views of nearby bushland and waterways, enhancing the locality’s visual and environmental appeal. Mature trees, native vegetation, and proximity to public parks contribute to the tranquil and cohesive suburban atmosphere that defines Killarney Heights.

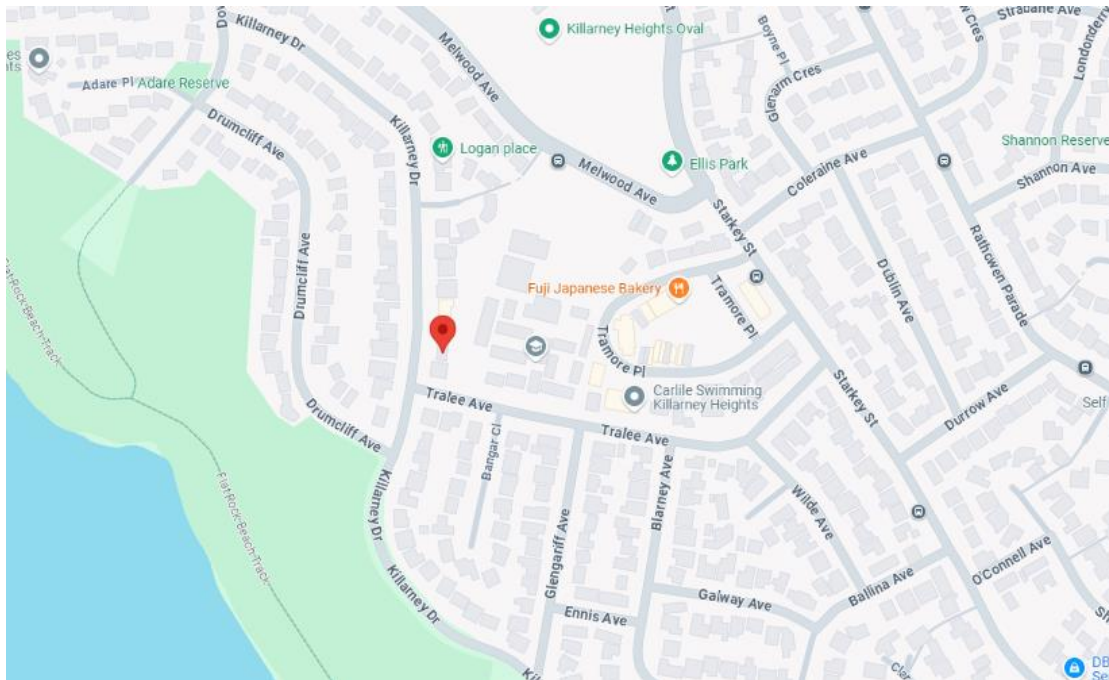


Figure 2. Local Character of 46 Killarney Drive, Killarney Heights (Google Maps)

Neighbourhood Scale & Streetscape

The locality is characterized by spacious residential lots with predominantly single and double-storey dwellings, showcasing a blend of modern and traditional architectural styles. Properties maintain generous setbacks from the street, contributing to an open and well-organized streetscape. Off-street parking is typically provided through private driveways and garages, reducing dependence on street parking. The streetscape features mature trees, landscaped front gardens, and pedestrian pathways, fostering a green and family-oriented suburban environment.



Statement of Environmental Effects

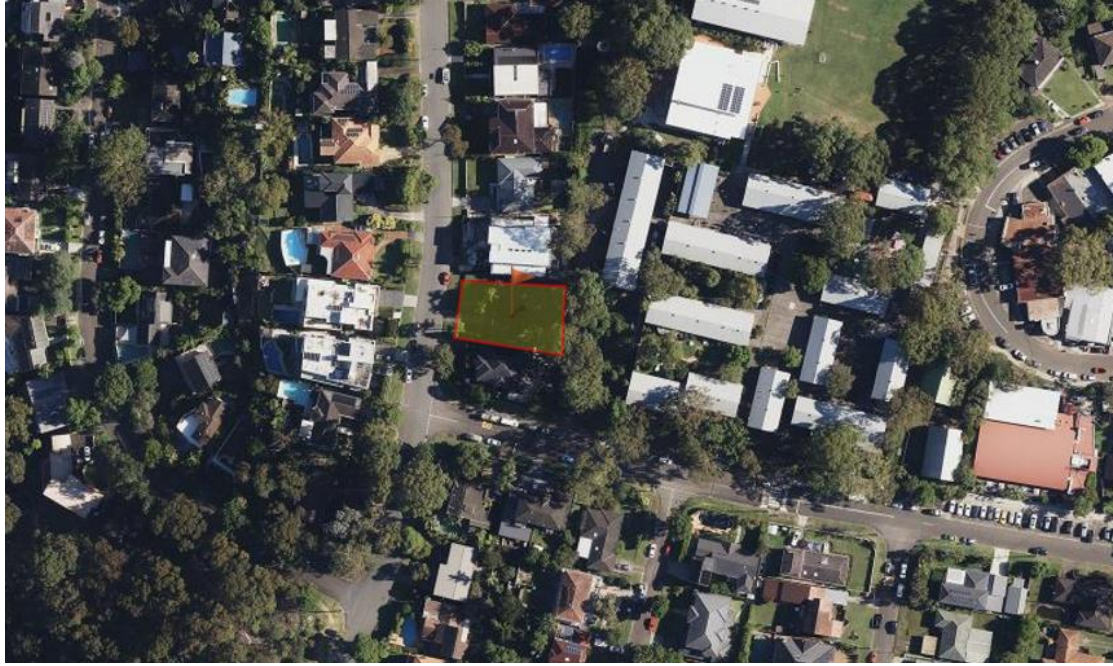


Figure 3. Neighbourhood scale 46 Killarney Drive, Killarney Heights (SIX Maps)



Figure 4. Adjoining dwelling to the south on Killarney Drive (Google Streetview)



Figure 5. Adjoining dwellings to the north on Killarney Drive (Google Streetview)



Statement of Environmental Effects



Figure 6. Dwelling adjacent the site on Killarney Drive (Google Streetview)



Figure 7. Killarney Drive looking south (Google Streetview)

Site Scale

Lot: 47 Sec: 72 DP: 758566 (46 Killarney Drive, Killarney Heights) is a fairly regular shaped allotment with a total area of 746.7m² and an 18.29m frontage to Killarney Drive. The site has a gradient from the rear to the front of the site of 2.65m (RL 106.25 – RL 103.60). The proposed site currently contains a single dwelling house.

The front of the site includes overhead power lines that run the length of Killarney Drive. The site is not identified as a heritage item, adjoining or adjacent a heritage item or within a heritage conservation area. The site is not identified as being bushfire prone land or flood affected. The site is identified as being susceptible to land slip. The site is not identified as having any environmental constraints.



Statement of Environmental Effects



Figure 8. Extract showing the current streetscape of 46 Killarney Drive, Killarney Heights (Google Street view)

Planning History

A search of the eplanning portal does not reveal any applications or determinations for the site.



Statement of Environmental Effects

The Proposal

The development proposes Demolition of existing structures; Construction of a new single dwelling consisting:

Demolition of existing structures & selected tree removal

Construction of a new dwelling including:

Ground floor:

- Entry
- Guest & Ensuite
- Home theatre
- Store & WIL
- Combined Kitchen & WIP, dining and living room
- Laundry room
- Rear Alfresco
- Double garage

1st Floor:

- Master Bedroom, WIR, Ensuite & Balcony
- Bedroom 2, WIR & Ensuite
- Bedroom 3, WIR & Ensuite
- Bedroom 4, WIR & Ensuite
- WIL
- Leisure

Associated landscaping and stormwater works



Statement of Environmental Effects

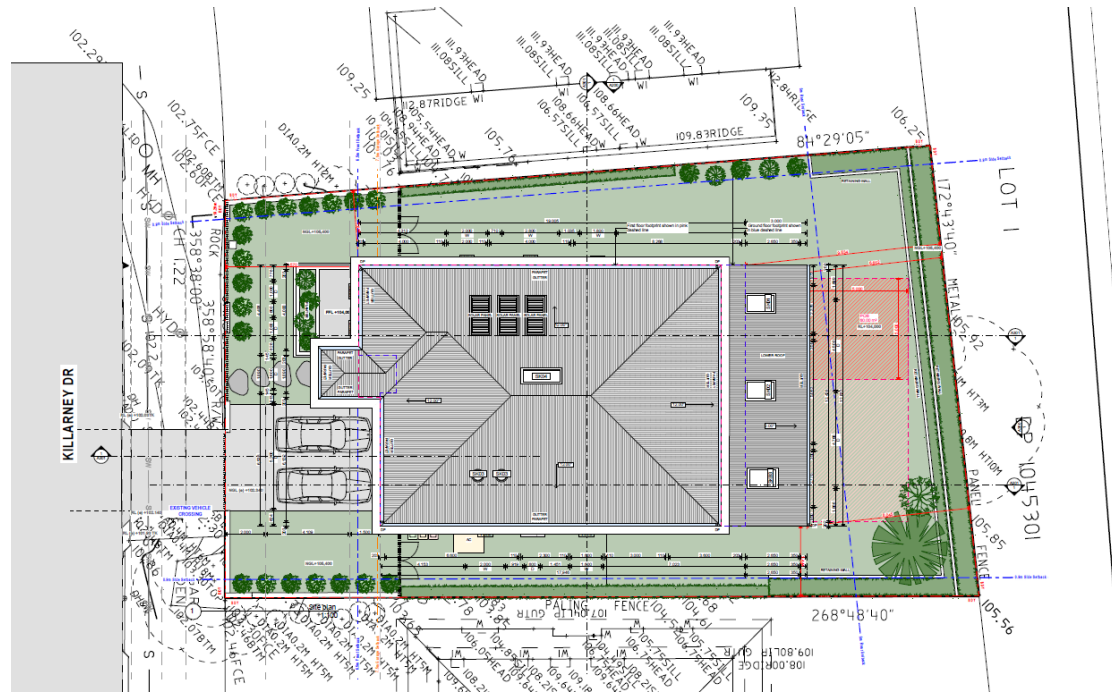


Figure 9. Site Plan of 46 Killarney Drive, Killarney Heights (sh. studio)

Statement of Environmental Effects

Environmental Planning and Assessment Act 1979

1.3 Objects of Act

The objects of this Act are as follows—

(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 Environmental aspects and impacts of the proposal are outlined and addressed within this Statement. The proposed development will have no detrimental impact on natural or other resources, with a Planning Use that complements the site and area and existing infrastructure.
- The development is orderly and rational, being consistent with the applicable Northern Beaches Council planning controls in the R2 Low Density Residential Zone.
- The development proposes housing, and the site is located in a residential area.
- There are no threatened species or the like in the area to be developed. The development will not have an environmental impact in relation to noise or air emissions. The site will be landscaped as part of the development.
- The site is not a heritage item or within proximity to a heritage item or located within a heritage conservation area.
- The proposal shows care and consideration for the existing and desired character of housing in the area. This ensures the amenity of the local area is reasonably protected.



Statement of Environmental Effects

- The proposal will utilise high quality building materials and finishes. It will be designed to meet BCA criteria and access considerations to ensure appropriate protection to the health and safety of occupants.
- The process has allowed consideration of both State and Local Government environment.
- This application will be exposed to public comment in the usual manner, as outlined in the Development Control Plan.

Ecologically Sustainable Development

Ecologically Sustainable Development (ESD) is a key object of the Environmental Planning & Assessment Act, 1979. The definition, consideration and conceptualisation of ESD was well explained by Justice Preston in *Telstra Corporation Limited v Hornsby Shire Council* [2006] NSWLEC 133.

This included the “basic formulation” of “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”:

Six Principles can be considered and applied:

- 1. Sustainable use - the aim of exploiting natural resources in a manner which is “sustainable” or “prudent” or “rational” or “wise” or “appropriate”*
- 2. Effective integration of economic and environmental considerations in the decision making process*
- 3. The precautionary principle (referred to in 6(2)(a) of the Protection of the Environment Administration Act)*
- 4. Inter-generational equity - the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations*
- 5. Conservation of biological diversity and ecological integrity should be a fundamental consideration; and*
- 6. Internalisation of environmental costs into decision-making for economic and other development plans, programmes and projects likely to affect the environment.*

The proposal is consistent with the principles of ESD as it does not exploit natural resources, it has been based soundly on economic and environmental considerations, the likely environmental impacts of the proposal are well understood and predictable, it doesn't deplete, does not unreasonably affect biological diversity or ecological integrity, and it provides an enduring asset for future generations.

Statement of Environmental Effects

Section 4.15 of the Environmental Planning & Assessment (EP&A) Act 1979

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—

(a) – the provisions of—

(i) – Provisions of any environmental planning instrument

State Environmental Planning Policies

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

The aims of this Chapter are—

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and*
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.*

The development proposes the removal of selected trees supported by an arborist who has no objections to their removal.

State Environmental Planning Policy (Sustainable Buildings) 2022

The aims of this Policy are as follows—

- (a) to encourage the design and delivery of sustainable buildings,*
- (b) to ensure consistent assessment of the sustainability of buildings,*
- (c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored,*
- (d) to monitor the embodied emissions of materials used in construction of buildings,*
- (e) to minimise the consumption of energy,*
- (f) to reduce greenhouse gas emissions,*
- (g) to minimise the consumption of mains-supplied potable water,*
- (h) to ensure good thermal performance of buildings.*

A BASIX Certificate is provided with this application.



Statement of Environmental Effects

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

(1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.

(2) In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—

(a) by specifying when consent is required, and when it is not required, for a remediation work, and

(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and

(c) by requiring that a remediation work meet certain standards and notification requirements.

The site is not identified as requiring remediation under the *Contaminated Land Management Act 1997*.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

The aim of this Chapter is to facilitate the effective delivery of infrastructure across the State by—

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and

(g) providing opportunities for infrastructure to demonstrate good design outcomes.

The site is not fronting or adjacent to a classified road, rail corridor or within the vicinity of a telecommunications structure requiring consideration under the SEPP.



Statement of Environmental Effects

Warringah Local Environmental Plan (WLEP) 2011

2.1 – 2.3 Zoning

Zone is R2 Low Density Residential. The proposed development (Dwelling Houses) is permissible with consent and complies with the objectives of the zone being:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

2.7 Demolition requires development consent

The demolition of a building or work may be carried out only with development consent.

Consent is being sought through this application. Demolition is to be carried out in accordance with Australian Standard AS 2601—2001: The Demolition of Structures.

4.3 Height of buildings

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The maximum building height permitted for this site is 8.5m. The development proposes a maximum height of less than 8.5m (~7.73m RL112.11 – RL 104.38).

5.10 Heritage conservation

The site is not identified as a heritage item, adjoining or adjacent a heritage item or within a heritage conservation area.

5.11 Bush fire hazard reduction

The site is not identified as being bushfire prone land.

5.21 Flood Planning

The site is not identified as being flood prone land.

6.1 Acid Sulfate Soils

The site is not identified as being affected by Acid Sulfate Soils.

6.2 Earthworks

(2) Development consent is required for earthworks unless—



Statement of Environmental Effects

- (a) the work is exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) the work is ancillary to other development for which development consent has been given.*

The proposed earthworks include footings for the development. The earthworks will not adversely affect the existing drainage pattern and/or soil stability. There will be no impact on the amenity of the adjoining properties, and it is unlikely that any Aboriginal objects/relics will be disturbed given that the site has been disturbed by residential development already. All works can be undertaken using standard engineering practices. Erosion and sediment controls will be installed.

Therefore, Council can be satisfied that the work proposed can be undertaken in an appropriate manner, without any significant adverse impacts on the environment or the surrounding properties.

6.4 Development on sloping land

- (2) This clause applies to land shown as Area A, Area B, Area C, Area D and Area E on the Landslip Risk Map.*
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*
 - (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
 - (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
 - (c) the development will not impact on or affect the existing subsurface flow conditions.*

The land is land shown as Area B (Flanking Slopes 5 to 25) on the Landslip Risk Map. The proposed development is not likely to have adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land, being fully contained within the development site. Storm water runoff from development has been designed as to not adversely affect the stability of the subject and surrounding land, and landscaping surrounds the development so that subsurface flows are not adversely affected by development.

(ii) – Provisions of any draft environmental planning instrument

The NSW Department of Planning & Environment regularly review SEPPs to ensure they are up-to-date, effective and simple. Below are policies (at November 24) that have recently been or are now under review:



Statement of Environmental Effects

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/consolidated-state-environmental-planning-policies>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/corridor-protection-sepp>

<https://www.planning.nsw.gov.au/policy-and-legislation/exempt-and-complying-development-policy/housekeeping-amendments-to-the-codes-sepp>

<https://www.planning.nsw.gov.au/plans-for-your-area/priority-growth-areas-and-precincts/penrith-lakes>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/primary-production-and-rural-development>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/repeal-of-operational-sepps>

<https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies/sydney-metro-northwest-srd-sepp>

Though the DRAFT SEPPs have been taken into consideration when preparing this proposal, the provisions of existing planning controls still apply (and have been applied in this proposal).

(iii) – Provisions of any development control plan

Section 4.15 of the Environmental Planning & Assessment (EP&A) Act 1979

Clause (3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

(c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, standards include performance criteria.

Statement of Environmental Effects

Warringah Development Control Plan

In particular, the following criteria of the relevant volumes apply:

Part B – Built Form Controls

B1 Wall Heights	
1. Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).	Required: <7.2m Proposed: 6m
B2 Number of Storeys	
1. Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum number of storeys identified on the DCP Map Number of Storeys.	The site is not identified on the DCP Map Number of Storeys. The development is not more than two (2) storeys.
B3 Side Boundary Envelope	
1. Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: <ul style="list-style-type: none"> • 4 metres, or • 5 metres as identified on the map.	The site is identified as having a 4 meters side boundary envelope on the DCP Map Side Boundary Envelopes. The building is sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: <ul style="list-style-type: none"> • 4 metres identified on the map.
2. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side boundary envelope.	N/A
B4 Site Coverage	
1. Development on land shown coloured on the DCP Map Site Coverage shall not exceed the maximum site coverage shown on the map. Where shown on the map as: <ul style="list-style-type: none"> • 33.3% - the total building footprint(s) must not cover more than 33.3% of the site area, and • 20% = 3,500m² or 30% <3,500m² - the total building footprint(s) must not cover more than 20% of the site area except on allotments having an area of less than 3,500m² where the total building footprint/s must not cover more than 30% of the site area. 	The site is not identified on the DCP Map Site Coverage
B5 Side Boundary Setbacks	
1. Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.	DCP Map Side Boundary Setbacks: 0.9m Proposed: Min 3.444m
2. Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.	Side boundary setback areas are landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.
3. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space,	N/A

Statement of Environmental Effects

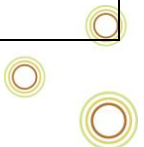
<p>basement car parking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side setback except as provided for under Exceptions below.</p>	
B6 Merit Assessment of Side Boundary Setbacks	
<p>1. Side boundary setbacks will be determined on a merit basis and will have regard to:</p> <ul style="list-style-type: none"> • streetscape; • amenity of surrounding properties; and • setbacks of neighbouring development 	N/A
<p>2. Generally, side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.</p>	N/A
B7 Front Boundary Setbacks	
<p>1. Development is to maintain a minimum setback to road frontages.</p>	<p>DCP Map Front Boundary Setbacks: 6.5m Proposed: 6.57m</p>
<p>2. The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences.</p>	<p>The front boundary setback area is landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences.</p>
<p>3. Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.</p>	<p>The front boundary setback area is landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.</p>
<p>4. For land zoned E3 and not having frontage to Kamber Road or Kimbriki Road the minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.</p>	N/A
B8 Merit assessment of front boundary setbacks	
<p>1. The appropriate alignment of buildings to road frontages will be determined on a merit basis and will have regard to the:</p> <ul style="list-style-type: none"> • streetscape; • amenity of surrounding properties; and • setbacks of neighbouring development 	N/A
B9 Rear Boundary Setbacks	
<p>1. Development is to maintain a minimum setback to rear boundaries.</p>	<p>DCP Map Rear Boundary Setbacks: 6.0m Proposed: 6.652m</p>
<p>2. The rear setback area is to be landscaped and free of any above or below ground structures.</p>	<p>The rear setback area is to be landscaped and free of any above or below ground structures; a swimming pool is not proposed. Sufficient area of the rear setback remains landscaped area.</p>
<p>3. On land zoned R3 Medium Density where there is a 6m rear boundary setback, above and below ground structures and</p>	N/A

Statement of Environmental Effects

<p>private open space, including basement carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the rear building setback.</p> <p>4. The rear building setback for land zoned IN2 Light Industrial at Tepko Road that adjoins land zoned R2 Low Density Residential is not to be used for industrial purposes or vehicle access.</p> <p>5. The rear building setback for land zoned IN2 Light Industrial in the vicinity of Campbell Parade, Manly Vale is not to be used for industrial purposes or vehicle access.</p>	<p>N/A</p> <p>N/A</p>
B10 Merit assessment of rear boundary setbacks	
<p>1. Rear boundary setbacks will be determined on a merit basis and will have regard to:</p> <ul style="list-style-type: none"> • streetscape; • amenity of surrounding properties; and • setbacks of neighbouring development <p>2. Development adjacent to Narrabeen Lagoon in the B2 Local Centre zone is to address the water and parkland. Buildings are not to dominate the parkland setting and will incorporate generous setbacks where necessary to achieve this.</p>	<p>N/A</p> <p>N/A</p>

Part C – Siting Factors

C2 Traffic, Access and Safety	
Vehicular Access	
<p>1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</p> <p>2. Vehicle access is to be obtained from minor streets and lanes where available and practical.</p> <p>3. There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way.</p> <p>4. Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315.</p> <p>5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</p>	<p>The development maintains the existing vehicle crossing on the site.</p> <p>As above.</p> <p>N/A</p> <p>The development maintains the existing vehicle crossing on the site.</p> <p>The development maintains the existing vehicle crossing on the site.</p>
On-site loading and unloading	
<p>6. Facilities for the loading and unloading of service, delivery and emergency vehicles are to be:</p> <ul style="list-style-type: none"> • appropriate to the size and nature of the development; • screened from public view; and • designed so that vehicles may enter and leave in a forward direction. 	<p>N/A</p>

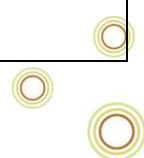


Statement of Environmental Effects

C3 Parking Facilities	
<p>1. The following design principles shall be met:</p> <ul style="list-style-type: none"> • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site; • Laneways are to be used to provide rear access to carparking areas where possible; • Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. <p>2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account:</p> <ul style="list-style-type: none"> • the land use; • the hours of operation; • the availability of public transport; • the availability of alternative car parking; and • the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles. <p>3. Carparking, other than for individual dwellings, shall:</p> <ul style="list-style-type: none"> • Avoid the use of mechanical car stacking spaces; • Not be readily apparent from public spaces; • Provide safe and convenient pedestrian and traffic movement; • Include adequate provision for manoeuvring and convenient access to individual spaces; • Enable vehicles to enter and leave the site in a forward direction; • Incorporate unobstructed access to visitor parking spaces; • Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places; • Provide on site detention of stormwater, where appropriate; and • Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1. <p>4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</p>	<p>A new double garage is proposed to the front of the dwelling:</p> <ul style="list-style-type: none"> • The garage door is integrated into the dwelling design and does not dominate the façade. • The attached garage is located so that views of the street from front windows are not obscured; and • The garages opening does not exceed 6 metres or 50% of the building width. <p>A new double garage is proposed to the front of the dwelling demonstrating that the following matters have been taken into account:</p> <ul style="list-style-type: none"> • the land use; • the availability of alternative car parking. <p>N/A</p> <p>Dwelling house and dual occupancy: 2 spaces per dwelling, except for land known as Belrose Corridor (see Part G4) which has a maximum of 2 car spaces.</p> <p>Proposed: 2 x spaces in an attached garage</p>

Statement of Environmental Effects

<p>5. Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.</p>	<p>N/A</p>
<p>6. For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided.</p>	<p>N/A</p>
<p>7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.</p>	<p>N/A</p>
<p>8. For Forest Way Village car parking at ground level is to be provided for individual units.</p>	<p>N/A</p>
<p>C4 Stormwater</p>	
<p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</p>	<p>Refer to stormwater plan.</p>
<p>C6 Building over or adjacent to Constructed Council Drainage Easements</p>	
<p>1. All development on land containing or adjacent to or proposing to reconstruct/relocate a public drainage system, must comply with Council's Water Management Policy and Building Over or Adjacent to Constructed Council Drainage Systems and Easements technical specifications.</p>	<p>N/A</p>
<p>2. Any Council drainage line located within the property may require upgrading and easements created in favour of Council over the drainage line at the applicants expense.</p>	<p>N/A</p>
<p>C7 Excavation and Landfill</p>	
<p>1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</p>	<p>Noted.</p>
<p>2. Excavation and landfill works must not result in any adverse impact on adjoining land.</p>	<p>Excavation and landfill works will not result in any adverse impact on adjoining land.</p>
<p>3. Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</p>	<p>The work is to be overseen by a structural engineer.</p>
<p>4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.</p>	<p>Refer to erosion and sediment control plan.</p>
<p>5. Rehabilitation and revegetation techniques shall be applied to the fill.</p>	<p>Noted.</p>



Statement of Environmental Effects

6. Where landfill is necessary, it is to be minimal and shall have no adverse effect on the visual and natural environment or adjoining and surrounding properties.	Noted.
C8 Demolition and Construction	
1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	Refer to waste management plan.
C9 Waste Management	
1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	Refer to waste management plan.

Part D – Design

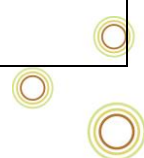
D1 Landscaped Open Space and Bushland Setting	
<p>1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting. To measure the area of landscaped open space:</p> <ul style="list-style-type: none"> a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open space is 1 metre. <p>2. Where land is shown on DCP Map Landscaped Open Space and Bushland Setting as “Bushland Setting”, a minimum of 50% of the site area must remain undisturbed by development and is to be kept as natural bushland or landscaped with locally indigenous species.</p> <p>3. In Cottage Point the relationship of the locality with the surrounding National Park and Cowan Creek waterway will be given top priority by enhancing the spread of indigenous tree canopy and protecting the natural landscape including rock outcrops and remnant bushland.</p>	<p>DCP Map Landscaped Open Space and Bushland Setting: 40% Proposed: 56.75%</p> <p>N/A</p> <p>N/A</p>
D2 Private Open Space	
<p>1. Residential development is to include private open space for each dwelling.</p> <p>2. The minimum area and dimensions of private open space are as follows:</p>	<p>Private open space is provided for the dwelling.</p> <p>Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms:</p>

Statement of Environmental Effects

DWELLING Type	Area and Minimum Dimensions per dwelling	
Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms	A total of 35m ² with minimum dimensions of 3 metres	A total of 60m ² with minimum dimensions of 5 metres Proposed: >60m ² with minimum dimensions of 5 metres
Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms	A total of 60m ² with minimum dimensions of 5 metres	
Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing	A total of 10m ² with minimum dimensions of 2.5 metres	
<p>3. Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.</p> <p>4. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.</p> <p>5. Private open space shall not be located in the primary front building setback.</p> <p>6. Private open space is to be located to maximise solar access.</p>		<p>Private open space is directly accessible from the living area and is capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.</p> <p>Private open space is located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.</p> <p>Private open space is not located in the primary front building setback.</p> <p>Private open space is located to maximise solar access.</p>
D3 Noise		
<p>1. Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.</p> <p>2. Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.</p> <p>3. Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.</p> <p>4. Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.</p>		<p>Able to comply when installed with the manufacture's instructions.</p> <p>N/A</p> <p>Noted.</p> <p>Noise sensitive rooms are suitably located.</p>

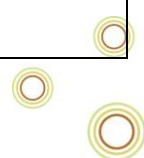
Statement of Environmental Effects

5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.	Noise sensitive rooms are suitably located.
D4 Electromagnetic Radiation	
Radiation levels from mobile phone base stations, antennas and transmitters which emit electromagnetic radiation are to comply with the following requirements: <ul style="list-style-type: none"> • Telecommunications Act 1997 • Code of Practice • ACMA 	N/A
D6 Access to Sunlight	
<p>1. Development should avoid unreasonable overshadowing any public open space.</p> <p>2. At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.</p>	<p>The development avoids unreasonable overshadowing any public open space.</p> <p>At least 50% of the required area of private open space and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.</p>
D7 Views	
1. Development shall provide for the reasonable sharing of views.	There are no significant views to or from the site for consideration.
D8 Privacy	
<p>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</p> <p>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</p> <p>3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</p> <p>4. The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.</p> <p>5. Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.</p>	<p>The dwelling layout is designed to optimise privacy for occupants of the development and occupants of adjoining properties.</p> <p>Living areas, habitable rooms and windows are suitably located within the development and orientated to limit overlooking.</p> <p>Noted.</p> <p>The windows of the dwelling are located so they do not provide direct or close views (i.e. from less than 9 metres away) into the windows of other dwellings.</p> <p>N/A</p>
D9 Building Bulk	
<p>1. Side and rear setbacks are to be progressively increased as wall height increases.</p> <p>2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</p>	<p>The development includes sufficient setbacks and complies with the required building envelope that ensures progressive setbacks.</p> <p>No blank walls are proposed.</p>



Statement of Environmental Effects

<p>3. On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular:</p> <ul style="list-style-type: none"> • The amount of fill is not to exceed one metre in depth. • Fill is not to spread beyond the footprint of the building. • Excavation of the landform is to be minimised. <p>4. Building height and scale needs to relate to topography and site conditions.</p> <p>5. Orientate development to address the street.</p> <p>6. Use colour, materials and surface treatment to reduce building bulk.</p> <p>7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.</p> <p>8. Articulate walls to reduce building mass.</p>	<p>The site is not steeply sloping.</p> <p>The building height and scale relate to topography and site conditions.</p> <p>The dwelling addresses the street.</p> <p>Appropriate colour, materials and surface treatment are proposed to reduce building bulk.</p> <p>Appropriate landscape plantings are to be provided to reduce the visual bulk of new building and works.</p> <p>The walls are suitably articulated.</p>
<p>D10 Building Colours and Materials</p>	
<p>1. In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.</p> <p>2. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend in to the natural landscape.</p> <p>3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.</p> <p>4. The holiday/fisherman shack character of the waterfront of Cottage Point is to be enhanced by the use of building materials which are sympathetic to the small timber and fibro cottages currently in existence on the waterfront. All buildings visible from the water are to utilise materials such as weatherboard, fibre cement, corrugated steel and timber. The use of masonry is discouraged.</p>	<p>The site is not considered highly visible.</p> <p>Appropriate colour, materials and surface treatment are proposed to reduce building bulk.</p> <p>N/A</p> <p>N/A</p>
<p>D11 Roofs</p>	
<p>1. Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.</p> <p>2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.</p> <p>3. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.</p>	<p>N/A</p> <p>The development proposes a pitch roof, consistent with roofs of newer and older dwellings in the locality.</p> <p>The roof is suitably articulated.</p>

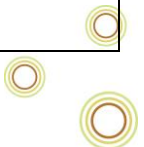


Statement of Environmental Effects

<p>4. Roofs shall incorporate eaves for shading.</p> <p>5. Roofing materials should not cause excessive glare and reflection.</p> <p>6. Service equipment, lift overruns, plant and other mechanical equipment on the roof shall be minimised by integrating as many services, etc as possible into the building.</p>	<p>Thermal comfort has been determined as sufficient in the NatHERS thermal assessment.</p> <p>Roofing materials will not cause excessive glare and reflection.</p> <p>N/A</p>
D12 Glare and Reflection	
<p>1. The overspill from artificial illumination or sun reflection is to be minimised by utilising one or more of the following:</p> <ul style="list-style-type: none"> • Selecting an appropriate lighting height that is practical and responds to the building and its neighbours; • Minimising the lit area of signage; • Locating the light source away from adjoining properties or boundaries; and • Directing light spill within the site. <p>2. Any glare from artificial illumination is to be minimised by utilising one or more of the following:</p> <ul style="list-style-type: none"> • Indirect lighting; • Controlling the level of illumination; and • Directing the light source away from view lines. <p>3. Sunlight reflectivity that may impact on surrounding properties is to be minimised by utilising one or more of the following:</p> <ul style="list-style-type: none"> • Selecting materials for roofing, wall claddings and glazing that have less reflection eg medium to dark roof tones; • Orienting reflective materials away from properties that may be impacted; • Recessing glass into the façade; • Utilising shading devices; • Limiting the use of glazing on walls and glazed balustrades and avoiding the use of highly reflective glass; and • Selecting windows and openings that have a vertical emphasis and are significantly less in proportion to solid massing in walls. 	<p>N/A</p> <p>N/A</p> <p>Appropriate colour, materials and surface treatment are proposed that will not cause excessive reflectivity.</p>
D13 Front Fences and Front Walls	
<p>1. Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character.</p> <p>2. Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence.</p> <p>3. Fences located within the front building setback area are to complement the existing streetscape character.</p>	<p>A low height partially permeable front fence is proposed compatible with the existing streetscape character.</p> <p>The fence will be partially permeable for landscaping within the front setback to soften and screen the appearance of the fence.</p> <p>As above.</p>

Statement of Environmental Effects

<p>4. Fences are to be constructed to allow casual surveillance, except where there is excessive noise.</p> <p>5. Gates are not to encroach over the property boundary when opening or closing.</p> <p>6. Fences should complement the architectural period of the building.</p>	<p>The fence will allow for casual surveillance.</p> <p>N/A</p> <p>As above.</p>
D14 Site Facilities	
<p>1. Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places. In particular:</p> <ul style="list-style-type: none"> • Selecting windows and openings that have a vertical emphasis and are significantly less in proportion to solid massing in walls. • Waste and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection; • All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets; • Garbage areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers; • Landscaping is to be provided to reduce the impact of all garbage and recycling enclosures. They are to be located away from habitable rooms, bedrooms or living areas that may detract from the amenity of occupants; and • Mail boxes are to be incorporated into the front fence or landscaping design. They are to be easily accessible and clearly identifiable. 	<p>Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities will be adequate and convenient for users. Services will have minimal visual impact from public places.</p>
D15 Side and Rear Fences	
<p>1. Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.</p> <p>2. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.</p> <p>3. All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.</p>	<p>No side or rear fences are proposed.</p> <p>N/A</p> <p>N/A</p>
D16 Swimming Pools and Spa Pools	
D20 Safety and Security	
<p>1. Buildings are to overlook streets as well as public and communal places to allow casual surveillance.</p>	<p>The development includes habitable spaces at ground and upper level that overlook the streetscape.</p>



Statement of Environmental Effects

<p>2. Service areas and access ways are to be either secured or designed to allow casual surveillance.</p>	<p>N/A</p>
<p>3. There is to be adequate lighting of entrances and pedestrian areas.</p>	<p>There will be adequate lighting of the entrances to the dwelling.</p>
<p>4. After hours land use activities are to be given priority along primary pedestrian routes to increase safety.</p>	<p>N/A</p>
<p>5. Entrances to buildings are to be from public streets wherever possible.</p>	<p>The development has direct access from Killarney Drive.</p>
<p>6. For larger developments, a site management plan and formal risk assessment, including the consideration of the 'Crime Prevention through Environmental Design' principles may be required. This is relevant where, in Council's opinion, the proposed development would present a crime, safety or security risk. See Crime Prevention and Assessment of Development Applications – Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979 prepared by the Department of Urban Affairs and Planning (now Department of Planning).</p>	<p>N/A</p>
<p>7. Buildings are to be designed to allow casual surveillance of the street, for example by:</p> <ul style="list-style-type: none"> a) Maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved; b) Providing openings of an adequate size in the upper levels to maximise opportunities for surveillance; c) Locating high use rooms to maximise casual surveillance; d) Clearly displaying the street number on the front of the building in pedestrian view; and e) Ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters. 	<p>N/A</p>
<p>8. Casual surveillance of loading areas is to be improved by:</p> <ul style="list-style-type: none"> a) Providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; and b) Providing adequate day and night lighting which will reduce the risk of undesirable activity. 	<p>The development includes habitable spaces at ground and upper level that overlook the streetscape.</p>
<p>9. Design entrances to buildings from public streets so that:</p> <ul style="list-style-type: none"> a) Building entrances are clearly identifiable, defined, lit and visible; b) The residential component of a shop top housing development has a separate secure pedestrian entrance from the commercial component of the development; c) Main entrances are clearly identifiable; d) Pavement surfaces and signage direct pedestrian movements; and e) Potential conflict between pedestrians and vehicles is avoided. 	<p>The entrance to the site and the dwelling is clearly identifiable.</p>

Statement of Environmental Effects

D21 Provision and Location of Utility Services	
<p>1. If a proposed development will involve a need for them, utility services must be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.</p>	<p>Utility services will be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.</p>
<p>2. Service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places or streets.</p>	<p>Noted.</p>
<p>3. Where possible, underground utility services such as water, gas, telecommunications, electricity and gas are to be provided in a common trench. The main advantages for this are:</p> <ul style="list-style-type: none"> a) A reduction in the number of trenches required; b) An accurate location of services for maintenance; c) Minimising the conflict between services; d) Minimising land required and cost; 	<p>Noted.</p>
<p>4. The location of utility services should take account of and minimise any impact on natural features such as bushland and natural watercourses.</p>	<p>N/A</p>
<p>5. Where natural features are disturbed the soil profile should be restored and landscaping and tree planting should be sited and selected to minimise impact on services, including existing overhead cables.</p>	<p>Noted.</p>
<p>6. Where utilities are located above ground, screening devices should include materials that complement the streetscape, for example fencing and landscaping. The location of service structures such as electricity substations should be within the site area.</p>	<p>Noted.</p>
<p>7. Habitable buildings must be connected to Sydney Water's sewerage system where the density is one dwelling per 1050 square metres or greater.</p>	<p>Utility services will be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.</p>
<p>8. On land where the density is less than one dwelling per 1050 square metres, and where connection to Sydney Water is not possible, Council may consider the on-site disposal of effluent where the applicant can demonstrate that the proposed sewerage systems or works are able to operate over the long term without causing unreasonable adverse effects.</p>	<p>N/A</p>
D22 Conservation of Energy and Water	
<p>1. The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.</p>	<p>The orientation, layout and landscaping of the sites makes the best use of natural ventilation, daylight and solar energy.</p>
<p>2. Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity</p>	<p>The site layout and structures allow for reasonable solar access for the purposes of water heating and</p>



Statement of Environmental Effects

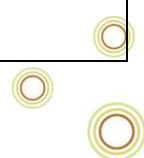
<p>generation and maintain reasonable solar access to adjoining properties.</p> <p>3. Buildings are to be designed to minimize energy and water consumption.</p> <p>4. Landscape design is to assist in the conservation of energy and water.</p> <p>5. Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks.</p> <p>6. All development must comply with Council's Water Management Policy.</p>	<p>electricity generation and maintain reasonable solar access to adjoining properties.</p> <p>Refer to BASIX Certificate.</p> <p>Refer to BASIX Certificate.</p> <p>Refer to BASIX Certificate.</p> <p>Refer to BASIX Certificate.</p>
---	---

Part E – The Natural Environment

E1 Preservation of Trees or Bushland Vegetation	
<p>1. Authority to clear a <u>tree</u> or other vegetation is regulated in this plan in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 i.e. 'Vegetation SEPP'. In particular, Part 2 of the Vegetation SEPP sets out the authority to clear vegetation and Part 3 provides for Council to declare under this DCP when a Vegetation Clearing Permit may be issued for clearing of vegetation.</p> <p>However a permit under Part 3 of the Vegetation SEPP cannot allow the clearing of vegetation that is or forms part of a heritage item or that is within a heritage conservation area, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the council is satisfied that the proposed activity:</p> <ul style="list-style-type: none"> • is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and • would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area. 	<p>The development proposes the removal of selected trees supported by an arborist who has no objections to their removal.</p>
E2 Prescribed Vegetation	
<p>1. The following is prescribed for the purposes of clause 5.9(2) of Part 2 of the Vegetation SEPP:</p> <p>All native vegetation identified on:</p> <ol style="list-style-type: none"> a) DCP Map Threatened and High Conservation Habitat b) DCP Map Wildlife Corridors c) DCP Map Native Vegetation d) known or potential habitat for threatened species, populations or ecological communities as listed under the NSW Threatened Species Conservation Act 1995 and/or the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. 	<p>N/A</p>

Statement of Environmental Effects

<p>2. Development is to be situated and designed to minimise the impact on prescribed vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.</p>	<p>N/A</p>
<p>E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat</p>	
<p>1. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines.</p>	<p>N/A</p>
<p>2. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect, manage and where appropriate promote the recovery of threatened species, populations and ecological communities and areas of high conservation habitat on the subject property.</p>	<p>N/A</p>
<p>E4 Wildlife Corridors</p>	
<p>1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 50m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</p> <p>i. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and</p> <p>ii. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect, manage and enhance wildlife corridors, and where appropriate reconstruct wildlife corridor areas on the subject property.</p>	<p>N/A</p>
<p>2. For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.</p>	<p>N/A</p>
<p>E5 Native Vegetation</p>	
<p>1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 100m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</p> <p>i. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and</p> <p>ii. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect native vegetation on the subject property.</p>	<p>N/A</p>
<p>2. For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.</p>	<p>N/A</p>



Statement of Environmental Effects

E6 Retaining unique environmental features	
1. Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.	N/A
2. Development should respond to these features through location of structures, outlook, design and materials.	N/A
E7 Development on land adjoining public open space	
E8 Waterways and Riparian Lands	
E9 Coastline Hazard	
E10 Landslip Risk	
<p>1. The applicant must demonstrate that:</p> <ul style="list-style-type: none"> • The proposed development is justified in terms of geotechnical stability; and • The proposed development will be carried out in accordance with good engineering practice. <p>2. Development must not cause detrimental impacts because of stormwater discharge from the land.</p> <p>3. Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.</p> <p>4. To address Requirements 1 to 3: i) For land identified as being in Area A: Council may decide that a preliminary assessment of site conditions is required. If Council so decides, a preliminary assessment of site conditions must be prepared, in accordance with the Checklist for Council's assessment of site conditions (see Notes) by a suitably qualified geotechnical engineer/ engineering geologist. The preliminary assessment must be submitted to Council before the granting of any development consent.</p> <p>If the preliminary assessment determines that a geotechnical report is required, the same provisions apply in Area A as those that apply in Area B and Area D.</p> <p>ii) For land identified as being in Area B or Area D:</p> <p>A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application.</p> <p>If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical engineer / engineering geologist and must be submitted with the development application.</p>	<p>The land is land shown as Area B (Flanking Slopes 5 to 25) on the Landslip Risk Map. The proposed earthworks will not adversely affect the existing drainage pattern and/or soil stability.</p> <p>The proposed earthworks will not adversely affect the existing drainage pattern and/or soil stability.</p> <p>The proposed earthworks will not adversely affect the existing drainage pattern and/or soil stability.</p> <p>The land is land shown as Area B (Flanking Slopes 5 to 25) on the Landslip Risk Map, further information may be provided to council if required.</p>

Statement of Environmental Effects

<p>Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</p> <p>iii) For land identified as being in Area C or Area E:</p> <p>A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer/ engineering geologist, must be submitted with the development application.</p> <p>Also, a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</p> <p>iv) When a geotechnical report is required to be submitted, (determined in accordance with i) to iii) above), the report must include a risk assessment of landslip in relation to both property and life. The risk assessment must have regard to any guidelines published by the Australian Geomechanics Society.</p>	
E11 Flood Prone Land	
<p>1. Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property.</p> <p>2. Development on flood prone land requires the preparation of a Flood Management Report by a suitably qualified professional.</p>	<p>The site is not identified as being flood prone land.</p> <p>As above.</p>

(iia) – Provisions of any planning agreement

There is no planning agreement in conjunction with this proposal.

(iv) – Provisions of the Environmental Planning and Assessment Regulation 2001 (EP&A Regulation 2001)

The Application has been made in accordance with the relevant matters prescribed by the Regulations.

(v) (Repealed)

that apply to the land to which the development application relates,



Statement of Environmental Effects

(b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality

Context & Setting

The development site currently contains residential dwelling. The surrounding area is characterized by similar sized lots and developments. The proposed development is expected to be consistent with existing development on the lot and adjoining lots.

Access, Transport and Traffic

The site has frontage to Killarney Drive. The development is not expected to result in significant additional vehicle movements with the current road network being suitably designed for the current road construction. The development does not require a change to the vehicle access to the site.

Public Domain

A contribution under the S.7.12 contribution plan is not considered payable given the proposed development type.

Utilities

The development includes the augmentation or upgrading of essential services required for the development.

Heritage

The site is not identified as a heritage item, adjoining or adjacent a heritage item or within a heritage conservation area.

Other Land Resources

The development seeks a residential use on the land.

Water

The development site has provision of Council's water services to the development site.

Soils

There is no previous history of usage on the site that could potentially lead to a risk in site contamination. It is considered that the sites soils are adequate for the development.

Air and microclimate

The proposed development is considered to have minimal impact on the existing microclimate in the area.

Statement of Environmental Effects

Flora and fauna

The development site is not expected to contain any critical habitats or threatened or endangered ecological communities. The development does not prevent access of any species to the site and does not require the removal of any remnant vegetation. The development will retain vegetation to the allotment boundaries. The lot does not appear on the NSW Biodiversity Values Map as a lot identified as containing areas of biodiversity value.

Waste

Minimal waste will be generated from the operation of the development. Waste from the development may be managed on site.

Energy

The development includes eco-friendly practices such as rainwater harvesting, renewable energy utilization and suitable water and energy rated fittings.

Noise & vibration

The development will not result in any noise and vibration with the exception of the construction phase. Council's standard hours of operation will be imposed during construction works.

Natural hazards

The site is identified as being subject to bushfire or flooding, having been adequately addressed.

Technological hazards

Previously addressed throughout the report – natural hazards, soils, etc.

Safety, security & crime prevention

The development will not result in any decrease in safety, security and prevention of crime in the surrounding area. The new development on the site will provide an increase in passive surveillance of the surrounding environment.

Social & Economic impact in the locality

The development will have a positive social impact on the surrounding area. The development will be consistent with development on the existing and adjoining allotments.

Site design and internal design

The proposed development will be located with adequate setbacks from all lot boundaries.



Statement of Environmental Effects

Construction

Any construction works must be compliant with the Building Code of Australia.

Cumulative impacts

The proposed development is considered to be compliant with surrounding land uses and approval of the application is not expected to result in any unacceptable land use conflicts. Pertinent matters have been addressed in detail in this report, which demonstrates that the development is consistent with applicable planning legislation.

(c) – the suitability of the site for the development

The site is considered suitable for the proposed development.

Lot: 47 Sec: 72 DP: 758566 (46 Killarney Drive, Killarney Heights) is a fairly regular shaped allotment with a total area of 746.7m² and an 18.29m frontage to Killarney Drive. The site has a gradient from the rear to the front of the site of 2.65m (RL 106.25 – RL 103.60). The proposed site currently contains a single dwelling house.

The development proposes Demolition of existing structures; Construction of a new single dwelling.

The site is suitable for the development being compatible with the objectives of the zone. The development is compatible with the locality and the site attributes are conducive to development.

The proposed development is permissible with consent and complies with the objectives of the zone by providing a variety of housing types to satisfy the needs of the community, that ensures amenity for both the occupants and the surrounding neighbours, that is compatible with the density of the area.

The front of the site includes overhead power lines that run the length of Killarney Drive. The site is not identified as a heritage item, adjoining or adjacent a heritage item or within a heritage conservation area. The site is not identified as being bushfire prone land or flood affected. The site is identified as being susceptible to land slip. The site is not identified as having any environmental constraints.

The proposed development is consistent with the existing and future development in the locality. The development has access from a public road and Council's utility services are available to the site. The site is considered to be suitable for development.

Statement of Environmental Effects

(d) – any submissions made in accordance with the EP&A Act or EP&A Regulation

This application will be exposed to public comment in the usual manner, as outlined in the Development Control Plan, however it is not anticipated that this process will raise any significant objections if any. We do not anticipate any submissions from neighbouring properties.

(e) – the public interest

The proposed development is within the public interest.



Statement of Environmental Effects

Conclusion

The proposed development has been designed in a way that it addresses the site abilities and constraints whilst satisfactorily demonstrating compliance with the Environmental Planning and Assessment Act 1979 (EPA&A 1979) and Council's local planning instruments and guidelines.

Accordingly, this Development Application is submitted in the belief that it deserves council's favourable consideration.

Yours Faithfully,



Tania Hannaford



(Bach.UrbRegPlanning (MPIA), Dip.Proj.Management, Cert IV NatHERS Assessment)

Plan for Tomorrow™

M: +61 402 422 745

E: Tania@plan-for-tomorrow.com

W: www.plan-for-tomorrow.com

	<p>Design Matters National Member Accredited Home Energy Efficiency Assessor NatHERS Accreditations: ✓ Thermal Performance Assessor ✓ Whole of Home Assessment</p>	
<p>DMN Accreditation Number: DMN/21/2023</p>		

Plan for Tomorrow has not undertaken a site visit for the purposes of this report. This report is provided exclusively for the purposes described in this report. No liability is extended for any other use or to any other party. The report is based on conditions prevailing at the time of the report and information provided by the client. The report is only for which the land to which the report relates and only for the day it is issued. This report should be read in conjunction with submitted documents and plans relevant to the Application.

