

Statement of Environmental Effects

7 Cooleena Rd
Elanora Heights NSW 2101

Development Application for:
Subdivision (one into two lots)

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1 Introduction

Council Approval Group has been engaged by Sandro Ianni to prepare and submit a Development Application for Torrens Title land subdivision of one lot into two lots and demolition of the existing garage within existing Lot G DP 408223 (7 Cooleena Road, Elanora Heights). Once determined, this proposal would provide an opportunity for additional low-density housing in the Northern Beaches area.

We thank Northern Beaches Council staff who have been of assistance during the formulation phase of this Development Application.

Specifically, this Statement of Environmental Effects (SoEE) includes:

- an analysis of the subject site and the surrounding locality;
- a description of the proposed development;
- an analysis of the proposal against the provisions of the Pittwater Local Environmental Plan 2014 (LEP 2014), relevant SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- conclusion.

This SoEE is submitted in accordance with Schedule 1 of The Environmental Planning and Assessment Regulation 2000 for the purposes of:

- demonstrating that the environmental impact of the development has been considered; and
- outlining the steps to be undertaken to protect the environment and to mitigate any potential harm, if necessary.

This SoEE concludes that the proposal is consistent with the objectives and provisions of LEP 2014. We are pleased to present this SoEE for a one into two lots subdivision which, once approved, will provide an opportunity for additional low-density housing in a locality that is well suited to the proposed development.

2 The Subject Site and Locality

2.1 Description of site and surroundings

Details of the site are provided below. The location of the subject property is shown on the location and aerial maps at **Figures 1** and **2**. A Google Street image of the property is included at **Figure 3** and the rear of the site is shown at **Figure 4**. The property is located in the Northern Beaches Council area.

The site is located on the southern side of Cooleena Road and it is sloped from the street to the rear. Vehicular and pedestrian access is gained via the north-facing frontage. The property is improved with a one storey (two storey at rear) brick building with single garage. The lower level at the rear contains an approved secondary dwelling.

The existing locality is comprised primarily of single dwelling houses on allotments ranging in size from approximately 570sqm to 1268sqm (similar sizes to the existing and proposed lots subject to this proposal). There is variation in lot sizes, widths and lengths within the existing development pattern. There are two existing battle-axe developments located directly to the east of the subject site.

Address	Title Details	Site Area	Site Frontage
7 Cooleena Road, Elanora Heights NSW 2101	Lot G, DP 408223	1,268.1 sqm	20.88 metres



Figure 1: Site location (Source: Landchecker)



Figure 2: Site aerial (Source: Landchecker)



Figure 3: Google Street View



Figure 4: Rear yard (Source: realestate.com.au)

2.2 Summary environmental mapping constraints

In summary, the land is mapped with the following mapping constraints under the LEP:

- Building Height: 8.5m
- Minimum Lot Size: 550sqm
- Geotechnical Hazard: H1
- Biodiversity: Biodiversity
- Acid Sulfate Soils: Class 5

2.3 Site zoning

The site is zoned under Pittwater Local Environmental Plan 2014 (LEP) as Zone C4 - Environmental Living.

2.4 Development history

A search of Council's online database reveals the following:

Reference No.	Description of Works	Decision & Date of Decision
N0533/17	Subdivision of one (1) lot into two (2) lots, alterations and additions to existing dwelling and construction of new dwelling	<u>Withdrawn</u> : 06/02/2018
BC0136/16	Building Certificate Application (secondary dwelling)	<u>Approved</u> : 27/11/2019
N0584/16	Secondary Dwelling	<u>Approved</u> : 09/03/2017
N0177/16	Subdivision - Subdivision of one lot into two and the demolition of existing garage	<u>Refused</u> : 02/11/2016

DA NO533/17 comprised the most recent development application and was withdrawn to provide an opportunity to respond to a request for a stormwater arrangement in the form of an easement. Council stated that an easement would need to be created to provide drainage rights over downstream properties and that those drainage rights would need to be submitted with the development application. The current development application addresses that matter (refer **Appendix D**). The Stormwater Plans (**Appendix C**) have also been updated to reflect the proposed easement across Nos. 9 and 11 Cooleena Road, Elanora Heights.

3 The Proposed Development

3.1 Details of proposed development

The development proposal seeks approval for partial demolition of the existing dwelling (to remove the existing garage) and the subdivision of the existing Lot G DP 408223 to form two new Torrens title lots. Both the existing lot and the new lot are to be accessed by a right of way along the western boundary.

The details of the proposal can be summarised as follows:

- The front Lot (Lot 1) is proposed to comprise 597sqm.
- The rear Lot (Lot 2) is proposed to comprise 557sqm (excluding the access handle).
- The access handle will comprise a total of 114sqm and form part of Lot 2.
- An indicative building footprint for a dwelling on the rear lot is shown on the Site Plan.

This statement is to be read in conjunction with development plans prepared by Council Approval Group (refer **Appendix B**).

Drawing Number	Drawing Title	Date
A.1	Site Plan + Subdivision Plan	08.03.22
A.2	Proposed Site Analysis Plan	08.03.22
A.3	Turning Circle Diagram	08.03.22
A.4	Demolition Plan	08.03.22

The following documents are also submitted with this application:

- Survey Plan prepared by Structerre Surveying, dated 07.10.2015 (**Appendix A**);
- Stormwater Plans prepared by Structerre Surveying, dated January 2022 (**Appendix C**);
- Stormwater Easement (**Appendix D**);
- Arboricultural Assessment prepared by Angophora Consulting Arborist, dated 04.05.2016 (**Appendix E**);
- Geotechnical Report and Rock Outcrop Assessment prepared by AW Geotechnical, dated 11.10.2017 (**Appendix F**); and
- Waste Management Plan prepared by Council Approval Group, dated 10.03.2022 (**Appendix G**).

Several of the documents submitted in relation to this current application were prepared for previous development applications. No significant changes have occurred to the subject site that would render these reports as outdated.

3.1.1 Privacy, Views, Overshadowing, and Noise

The current proposal does not include the construction of a dwelling. Any future application for the construction of a dwelling house will address privacy, views, overshadowing and noise. It is considered that the new lot is able to support a dwelling that will have minimal impact on neighbours and the surrounding locality.

3.1.2 Trees and Vegetation

Trees identified within the Arboricultural Report as 8 and 9 can be considered for removal. Removal of tree 8 is to enable access to the rear lot and is proposed as part of this development application. The removal of tree 9 can be considered as part of any future development application pertaining to the construction of a dwelling on the new rear lot. Tree protection zones will be enforced on the other significant trees as described within the report.

3.1.3 Parking, Access and Traffic

Access to the proposed lots will remain off Cooleena Road. A right of way along the western boundary provides access for both the proposed front and rear lots as indicated on the plans. The access handle will comply with the relevant provisions. The creation of an additional lot will have a minimal impact on the local traffic within the locality.

Space for new car parking spaces for the existing dwellings will be provided to the rear of the existing dwelling as indicated on the site plan.

3.1.4 Stormwater and Sewerage

The stormwater design in relation to the proposed driveway and dwelling will include rainwater reuse tank and an on-site detention tank in accordance with Council's stormwater drainage policy (refer **Appendix C**).

Council previously requested an easement to be created in order to support the potential stormwater created by an additional lot. A Deed of Settlement with neighbours at Nos. 9 and 11 Cooleena Rd has been prepared which outlines the proposed easement arrangement (refer **Appendix D**).

All services are available to the site, including sewer, which runs across the rear of the site.

3.1.5 Geotechnical

The accompanying Geotechnical Report by AW Geotechnical addresses the potential for slope instability, in relation to Council's Geotechnical Hazard Mapping identifying a large portion of the site as Hazard zone 1. The report identifies that council's mapping does not accurately reflect the transition from Hazard 1 to Hazard 3 on site. The Hazard 1 boundary is identified as more accurately being within the far rear of the site. Importantly, the report recommends that the site is suitable for future residential development. The report identifies no issues with removal of part of a rock outcrop to facilitate a future driveway.

3.1.6 Contamination

The site has been utilised for residential purposes and is proposed for continued residential use, thus no further investigation is required.

3.1.7 Demolition and Asbestos

The removal of the existing garage is proposed to allow for the provision of access to the proposed lot at the rear. It is intended to remove the garage and make good the wall to the dwelling. The client has advised that the building does not have asbestos containing materials within the existing dwelling.

3.1.8 Ongoing Waste Management

A Waste Management Plan (**Appendix G**) has been prepared addressing the demolition of the garage. The proposed lot, on completion, will utilise Council's domestic waste collection service.

4 Environmental Assessment

4.1 State Environmental Planning Policies

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

This SEPP consolidated several SEPPs including State Environmental Planning Policy No. 55 – Remediation of Land which provides a state-wide practice for the remediation of contaminated land. Under clause 4.6 consideration must be given as to whether the land is contaminated. The entire site appears to have been in residential use since its original subdivision and there is no evidence of any potentially contaminating uses occurring. It can be concluded beyond reasonable doubt that there is no likelihood of contamination on this site. No further consideration is therefore required under clause 4.6 (1) (b) and (c) of the SEPP.

4.1.2 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

This SEPP will soon be consolidated within the State Environmental Planning Policy (Biodiversity and Conservation) 2021 but it is not yet in force. The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The proposal has considered the provisions of this SEPP and provides supporting documentation to demonstrate that biodiversity values will be retained.

4.2 Local Environmental Plan

4.2.1 Pittwater Local Environmental Plan 2014

Pittwater Local Environmental Plan 2014 (LEP) applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the Plan.

Zoning and Permissibility

Part 2 of LEP identifies that the subject site is zoned C4 - Environmental Living. The Land Use Table for the zone is as follows:

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures

4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

The subject Development Application to Council seeks approval for subdivision of the subject site into two lots. Subdivision is not included under the zone land use table; however, the subdivision of land within a local government area is enabled through Clause 2.6 of the LEP, subject to compliance with any other

relevant planning provision or development control. The proposal is therefore permitted with the consent of Council.

The objectives of the Zone C4 - Environmental Living are as follows:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

It is considered that the proposal is consistent with these objectives, in that:

- The proposed subdivision would provide an opportunity for additional low-density housing that is able to protect the ecological, scientific and aesthetic values of the area.
- The Plan of Subdivision provides an indicative development footprint. The footprint allows for a dwelling design that could be well integrated with the landform and landscape.
- The proposed subdivision would have no significant adverse impacts on riparian and foreshore vegetation or wildlife corridors.

Other Relevant Clauses

LEP Clause / Provision	Statement of Compliance
Clause 2.6: Subdivision—consent requirements	
<p>(1) Land to which this Plan applies may be subdivided, but only with development consent.</p> <p>(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.</p>	<p>Complies</p> <p>The subdivision of land within a local government area is enabled through this clause, subject to compliance with any other relevant planning provision or development control.</p>
Clause 2.7: Demolition requires development consent	
<p>The demolition of a building or work may be carried out only with development consent.</p>	<p>Complies</p> <p>Demolition of the garage attached to the existing dwelling house requires development consent, which is sought as part of this application.</p>
Clause 4.1: Minimum subdivision lot size	
<p>(1) The objectives of this clause are as follows—</p> <p>(a) to protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality,</p> <p>(b) to provide for subdivision where all resulting lots are capable of providing for the construction of a building that is safe from hazards,</p> <p>(c) to provide for subdivision where all resulting lots are capable of providing for buildings that will not unacceptably impact on the natural environment or the amenity of neighbouring properties,</p> <p>(d) to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,</p>	<p>Complies</p> <p>The minimum lot size that applies to this site for Torrens Title Subdivision is 550sqm. Each of the proposed lots are greater than the minimum lot size shown for the land. Lot 1 has an area of 597sqm and Lot 2 an area of 557sqm (not including the 114sqm access handle).</p> <p>It is considered that the proposed lot configuration being comparable with the battle-axe developments to the east and the smaller single allotments located to the north is consistent with the existing development pattern, the low-density nature and aesthetic value of the locality. The</p>

LEP Clause / Provision	Statement of Compliance												
<p>(e) to provide for subdivision where all resulting lots can be provided with adequate and safe access and services,</p> <p>(f) to maintain the existing function and character of rural areas and minimise fragmentation of rural land,</p> <p>(g) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.</p> <p>(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.</p> <p>(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p> <p>(3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.</p> <p>(4) This clause does not apply in relation to the subdivision of any land—</p> <p>(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or</p> <p>(b) by any kind of subdivision under the Community Land Development Act 1989.</p>	<p>surrounding area is characterised by low density dwellings.</p> <p>The accompanying documentation confirms that the two lots are of adequate size and dimension to accommodate compliant dwelling houses having minimal adverse environmental, streetscape and residential amenity consequences. There is sufficient certainty as to future built form outcomes to enable dwelling house designs to be the subject of future development applications.</p> <p>The Geotechnical Report and Stormwater Plans demonstrate that the future development of a building that is safe from hazards and does not adversely impact on neighbours is possible.</p> <p>Adequate and safe access and services can be provided as demonstrated by this application.</p>												
Clause 7.1: Acid sulfate soils													
<p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> <p>(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <table border="1"> <thead> <tr> <th>Class of land</th><th>Works</th></tr> </thead> <tbody> <tr> <td>1</td><td>Any works.</td></tr> <tr> <td>2</td><td>Works below the natural ground surface. Works by which the watertable is likely to be lowered.</td></tr> <tr> <td>3</td><td>Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.</td></tr> <tr> <td>4</td><td>Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.</td></tr> <tr> <td>5</td><td>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</td></tr> </tbody> </table> <p>(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.</p> <p>(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if—</p> <p>(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and</p> <p>(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.</p>	Class of land	Works	1	Any works.	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.	5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	<p>Complies</p> <p>The site is mapped as Class 5 Acid Sulfate Soils. Works are to be less than 5m in depth and unlikely to affect the water table.</p>
Class of land	Works												
1	Any works.												
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.												
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5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.												

LEP Clause / Provision	Statement of Compliance
<p>(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—</p> <p>(a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,</p> <p>(b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),</p> <p>(c) minor work, being work that costs less than \$20,000 (other than drainage work).</p> <p>(6) Despite subclause (2), development consent is not required under this clause to carry out any works if—</p> <p>(a) the works involve the disturbance of less than 1 tonne of soil, and</p> <p>(b) the works are not likely to lower the watertable.</p>	
Clause 7.6: Biodiversity	
<p>(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by—</p> <p>(a) protecting native fauna and flora, and</p> <p>(b) protecting the ecological processes necessary for their continued existence, and</p> <p>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</p> <p>(2) This clause applies to land identified as “Biodiversity” on the Biodiversity Map.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—</p> <p>(a) whether the development is likely to have—</p> <p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>Complies</p> <p>The site is identified as “Biodiversity” on the Biodiversity Map.</p> <p>The rear of the site is grassed with no understory and contains only a few trees. The condition of the existing vegetation was assessed by a qualified arborist, the report is provided with this application for Council’s consideration.</p> <p>The site is not considered to present a high biodiversity value, the site is highly modified and consistent with a managed domestic garden. The condition of the site, the vegetation, its value and significance does not warrant further investigation. Its current contribution and ability to support habitat elements or connectivity is limited and unlikely to be viable even without the proposed development</p> <p>One tree will require removal as to facilitate the driveway and its removal forms part of this development application. Another tree has been identified for removal within the indicative dwelling footprint proposed on the rear allotment. The removal of that tree will form part of a future development application for the construction of a dwelling. The other trees identified within the report will be retained and protected.</p>
Clause 7.7: Geotechnical hazards	
<p>(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards—</p> <p>(a) matches the underlying geotechnical conditions of the land, and</p> <p>(b) is restricted on unsuitable land, and</p> <p>(c) does not endanger life or property.</p> <p>(2) This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.</p>	<p>Complies</p> <p>The attached Geotechnical Report confirms the viability and suitability of the site in relation to the proposed subdivision.</p> <p>The report confirms that Council’s mapping does not accurately reflect the transition from Hazard 1 to Hazard 3 on site. The Hazard 1 boundary is identified more accurately as being within the far rear of the site, away from the indicative building footprint.</p>

LEP Clause / Provision	Statement of Compliance
<p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks—</p> <p>(a) site layout, including access,</p> <p>(b) the development's design and construction methods,</p> <p>(c) the amount of cut and fill that will be required for the development,</p> <p>(d) waste water management, stormwater and drainage across the land,</p> <p>(e) the geotechnical constraints of the site,</p> <p>(f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless—</p> <p>(a) the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and</p> <p>(b) the consent authority is satisfied that—</p> <p>(i) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or</p> <p>(ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or</p> <p>(iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.</p>	<p>Importantly, the report recommends that the site is suitable for residential development. The report identifies no issues with removal of part of a rock outcrop to facilitate a future driveway.</p> <p>The Stormwater Plans and proposed easement show that an appropriate stormwater arrangement is possible for the subdivision.</p>
Clause 7.10: Essential services	
<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable vehicular access.</p>	<p>Complies</p> <p>All services are available to the existing dwellings. These connections can be made available to the new lot. The sewer main traverses the rear boundary of the site and the stormwater design complies with council's policy and the relevant standards. The proposed driveway enables suitable vehicular access and manoeuvring for vehicles to enter and exit in forward motion.</p>

4.3 Development Control Plan

4.3.1 Pittwater 21 Development Control Plan

Pittwater 21 Development Control Plan applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the Plan, being found in Section A, Section B, Section C and Section D.

DCP Clause / Provision	Statement of Compliance
SECTION A: SHAPING DEVELOPMENT IN PITTWATER	
Chapter A4: Localities	
Clause A4.5 Elanora Heights Locality	
<p><i>Desired Character</i></p> <p>The Elanora Heights locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more</p>	<p>Complies</p> <p>The proposed subdivision meets the desired character for the Elanora Heights locality for the following reasons:</p>

DCP Clause / Provision	Statement of Compliance
<p><i>compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located only on the plateau on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Land in the vicinity of Caladenia Close and Dendrobium Crescent to the west will remain a low-density rural residential area due to the constraints and characteristics of the land, including steepness of slope, species and habitat diversity, and lack of infrastructure. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community, and recreational facilities will serve the community.</i></p> <p><i>Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.</i></p> <p><i>Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development on non-urban zoned land shall maintain generous spatial separation of the built form and low site coverage on large lots. Development will be designed to be safe from hazards including landslip and bushfire.</i></p> <p><i>A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.</i></p>	<ul style="list-style-type: none"> • The proposal will retain the predominately low-density character of the locality. • Adequate infrastructure services are available to the site. • A balance is achieved between maintaining the landforms, landscapes, and other features of the natural environment, and the development of land. The site is generally grassed and minimal tree removal is required. Some disturbance of rock outcrops will be required, but this is consistent with other development in the area. • The proposal meets the minimum lot sizes required.
SECTION B: GENERAL CONTROLS	
Chapter B2: Density Controls	
B2.2 Subdivision - Low Density Residential Areas	
<p><i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum lot depth of 27 metres.</i></p> <p><i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 1 on the Landscaped Area Map shall have a minimum lot width at the building line of 16 metres.</i></p> <p><i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 2 or 3 on the Landscaped Area Map shall have a minimum lot width at the building line of 15 metres.</i></p> <p><i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum lot width at the building line of 9 metres at the waterfrontage.</i></p> <p><i>Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not unreasonably impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.</i></p> <p><i>A person shall not subdivide land if the allotment(s) intended to be created have a slope in excess of 16.7 degrees (30%), measured between the highest and lowest points on any such allotment(s).</i></p> <p><i>The minimum area for building shall be 175m².</i></p>	<p>Complies</p> <p>The depth for both proposed lots exceeds 27 m.</p> <p>Minimum lot widths exceed 16 m.</p> <p>The supportive documentation and plans demonstrate that the subdivision and future dwelling can be facilitated without unreasonable impact on the slope hazard and natural environment, and adequate access and services can be provided.</p> <p>The slope of the land is less than the maximum of 16.7° (30%). The average slope from the low side of the indicative building envelope to the street boundary is approximately 20%.</p> <p>As demonstrated by the indicative dwelling footprint shown on the development plans, an area greater than 175sqm will be available for a new dwelling that will form part of a future development application.</p>
Chapter B3: Hazard Controls	

DCP Clause / Provision	Statement of Compliance
B3.1 Landslip Hazard	
<p><i>All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5).</i></p> <p><i>Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development.</i></p> <p><i>The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.</i></p>	<p>Complies</p> <p>A Geotechnical Report has been completed in support of the application. The report confirms that a safe building area for a future dwelling would be able to be accommodated by the site.</p>
Chapter B4: Controls Relating to the Natural Environment	
B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor	
<p><i>Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.</i></p> <p><i>Development shall provide an adequate buffer to wildlife corridors.</i></p> <p><i>Development shall provide flora and fauna habitat and wildlife corridors by active restoration, regeneration, and/or creation.</i></p> <p><i>Development shall result in no significant onsite loss of canopy cover or net loss in native canopy trees.</i></p> <p><i>Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in Native Plants for Your Garden available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and should not include environmental weeds.</i></p> <p><i>Planting is to maximise linkage to the wildlife corridor.</i></p> <p><i>Development shall not negatively impact on threatened species, endangered populations or endangered ecological communities.</i></p> <p><i>Caretakers of domestic animals shall prevent them from entering bushland.</i></p> <p><i>Fencing, where permitted, shall be passable by native wildlife.</i></p>	<p>Complies</p> <p>Council's mapping identifies the site and area as Flora and Fauna Conservation Areas – Category 2 and Wildlife Corridor.</p> <p>The rear of the site is grassed with no understory and contains few trees. The existing fencing is consistent with controls and will be retained as part of this proposal. The condition of the existing vegetation was assessed by a qualified arborist, the report provided with this application for Council's consideration. The site is not considered to present as high biodiversity value as the site is highly modified and consistent with a managed domestic garden. The condition of the site, the vegetation, its value and significance may be enhanced through future landscaping consistent with the list on council's website. Its current contribution and ability to support habitat elements or connectivity is limited and unlikely to be viable even without the proposed development.</p> <p>The site is currently fragmented from the significant vegetation and corridor located to the south. The existing site conditions limit the ability of the site to significantly contribute to the existing corridor. The proposed development will not generate any adverse impacts on the existing corridor or the ability of wildlife to traverse the existing corridor and is therefore consistent with the objectives.</p>
B4.22 Preservation of Trees and Bushland Vegetation	
<p><i>When a DA required for clearing vegetation the following requirements apply:</i></p> <p><i>5. Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.</i></p> <p><i>6. Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</i></p> <p><i>7. Development must also avoid any impact on trees on public land.</i></p> <p><i>8. For development applications involving the construction of new buildings and works</i></p>	<p>Complies</p> <p>Tree 8 as identified within the arborist report is proposed to be removed as part of this application. Tree 8 is located within the proposed access handle. Tree 9 is located within the indicative building footprint and its removal may form part of a future development application. All other existing vegetation will be retained and protected as prescribed within the arborist's report.</p>

DCP Clause / Provision	Statement of Compliance
<p>containing Classes 2-9 (BCA), the information contained in Appendix 18 (P21DCP) is to be submitted.</p> <p>9. Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 19 (P21DCP) is to be submitted.</p>	
Chapter B5: Water Management	
B5.15 Stormwater	
<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>Complies</p> <p>The proposal is accompanied and supported by an engineering design by Structerre that addresses stormwater disposal from the property.</p> <p>The Stormwater Plans have been revised following Council's comments regarding the previous development application (withdrawn in 2018).</p> <p>An easement is now proposed across Nos. 9 and 11 Cooleena Rd, Elanora Heights to satisfy the stormwater requirements posed by Council (refer Appendices C & D).</p>
Chapter B6: Access and Parking	
B6.1 Access driveways and Works on the Public Road Reserve	
<p>General Requirements</p> <p>Access Driveways include the driveway pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve between the road edge and property boundary as illustrated in Appendix 10 - Driveway Profiles.</p> <p>An Access Driveway to the standards as set out below must be provided for:</p> <ul style="list-style-type: none"> any new development; any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m²; and where additional car parking spaces and/or garages are proposed. <p>Where there is an existing driveway and the applicant proposes to retain the existing driveway, the applicant will be required to demonstrate compliance with this control.</p> <p>Access Driveway Design</p> <p>The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:</p> <ul style="list-style-type: none"> Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking. Australian Standard AS/NZS 2890.2-2002: Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities except as qualified in this control. 	<p>Complies</p> <p>The driveway has been professionally designed (refer to Stormwater Concept Plan) to be able to meet the necessary Australian standards and council requirements, such as gradients. A 3.5 m easement is proposed to access the rear lot, in approximately the same location as the existing driveway. The driveway will be partially used for the front dwelling, accessing on-site car parking spaces as shown on the plans.</p>
<p>Number of Access Driveways per Allotment</p> <p>The number of permissible Access Driveways to an allotment is as follows:</p> <ul style="list-style-type: none"> where the frontage of an allotment to a local public road is less than 30m, one only access driveway. <p>Council, under the Local Government Act 1993, may direct as to which frontage access is to be gained where traffic safety issues are a consideration.</p>	<p>Complies</p> <p>Only one access driveway is proposed to service both allotments.</p>
<p>Access Driveway Location</p> <p>Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:</p> <ul style="list-style-type: none"> minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 kph speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; and 	<p>Complies</p> <p>Adequate sight distance enables the shared driveway to be viable, enabling all vehicles to enter and exist each lot in a forward motion.</p> <p>No trees are proposed to be removed from the public road reserve.</p>

DCP Clause / Provision	Statement of Compliance												
<ul style="list-style-type: none"><i>minimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary.</i> <p><i>The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.</i></p>													
<p>Access Driveway Width <i>The maximum width of an Access Driveway for dual occupancies, dwellings houses, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation shall be as follows:</i></p> <table><tr><th>Distance Building Line to Boundary</th><th>Width at Boundary</th><th>Width at Kerb</th></tr><tr><td>Nil to 3.5m</td><td>Width of car parking area or garage opening</td><td>Width of car parking or garage opening plus 0.5</td></tr><tr><td>Greater than 3.5m to 6.5m</td><td>4.0m</td><td>4.5m</td></tr><tr><td>Greater than 6.5m</td><td>3.0m</td><td>3.5m</td></tr></table> <p><i>Access Driveway width can be varied subject to a merit based consideration.</i></p>	Distance Building Line to Boundary	Width at Boundary	Width at Kerb	Nil to 3.5m	Width of car parking area or garage opening	Width of car parking or garage opening plus 0.5	Greater than 3.5m to 6.5m	4.0m	4.5m	Greater than 6.5m	3.0m	3.5m	<p>Complies</p> <p>A 3.5m wide easement within the same location as the existing driveway is proposed for access to the new rear lot and parking for the exiting dwellings on Lot 1.</p>
Distance Building Line to Boundary	Width at Boundary	Width at Kerb											
Nil to 3.5m	Width of car parking area or garage opening	Width of car parking or garage opening plus 0.5											
Greater than 3.5m to 6.5m	4.0m	4.5m											
Greater than 6.5m	3.0m	3.5m											
<p>Access Driveway Profile and Gradient <i>Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles.</i></p> <p><i>Access Driveway Construction and Finishes</i></p> <p><i>All Access Driveways shall be constructed with an impervious pavement and gutter crossing construction.</i></p> <p><i>Gutter crossings are to be in plain concrete.</i></p> <p><i>Access Driveways are to be in plain concrete. Cosmetic Access Driveways on a public road reserve are not permitted.</i></p> <p><i>Access Driveways are to match with the adjacent constructed footpaths or alternatively adjacent constructed footpaths are to be adjusted to provide a continuous surface with no trip points with a maximum 1:14 (V:H) transition.</i></p> <p><i>The Access Driveway is to be structurally adequate for its intended use.</i></p> <p><i>Suspended driveways must not use the existing road structure for support.</i></p>	<p>Complies</p> <p>The driveway details included in the stormwater concept plan are considered adequate as part of the subdivision proposal, particularly as no construction works are proposed in association with the subdivision.</p>												
<p>Access Driveway - Stormwater Drainage <i>All Access Driveways on the low side of the road are to be designed and constructed such that stormwater drainage is directed away from the Access Driveway.</i></p>	<p>Complies</p> <p>The proposed stormwater arrangement is depicted in the Stormwater Plans provided as Appendix C.</p>												
<p>B6.2 Internal Driveways</p>													
<p>Internal Driveway <u><i>Internal Driveway Profiles</i></u> <i>Internal Driveways are to be designed and constructed to provide safe access and shall have a maximum gradient of 1:5 (V:H). Recommended maximum gradient of an Internal Driveway for a distance of 2m on the approach to a garage, parking area or carport is 1:20 (V:H). There must be a minimum 2 metre long transition between the driveway and the garage/parking area/carport in accordance with the standards.</i></p> <p><i>For Internal Driveways on steeply sloping or difficult sites, gradients may be increased up to 1:4 (V:H) over a maximum 20 metre length.</i></p> <p><i>Provision is to be made for vehicles to enter and leave the site in a forward direction, where:</i></p> <ul style="list-style-type: none"><i>the internal driveway grade exceeds 1:4 (V:H);</i><i>the land abuts a roadway subject to high pedestrian use (e.g. School, Commercial Centre);</i><i>driveways are more than 30m in length; and</i><i>the driveway enters onto a classified road.</i>	<p>Complies</p> <p>A 3.5m wide easement is proposed for the access to the rear lot and parking for the exiting dwellings on Lot 1 within the same location as the existing driveway. A turning circle has been provided to enable all vehicles to enter and exit each lot in a forward motion. No construction works are proposed in association with the subdivision application. The detailed driveway design will form part of a future development application.</p> <p>The 3.5m easement will be able to accommodate a driveway width that meets Council's requirements.</p> <p>Stormwater drainage for the proposed access handle is shown on the Stormwater Plan provided as Appendix C.</p>												

DCP Clause / Provision	Statement of Compliance								
<p><u>Internal Driveway Stormwater Drainage</u> Internal Driveway grades, cross falls and grated drains are to be designed to reduce discharge into the public drainage system and to maximise stormwater discharge into adjacent landscape areas by the use of grass swales and soakage pits.</p> <p><u>Internal Driveway Construction/Finishes</u> Internal Driveways shall have a stable surface for all weather construction. Internal Driveways where visible from a public road or public place are to be constructed of materials that blend with the environment and of dark earthy tones or natural materials.</p> <p><u>Driveway width for dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation.</u> The Internal Driveway shall be contained within the driveway corridor. The minimum width of the driveway corridor (i.e. impervious pavements together with grassed shoulder area) shall be as follows:</p> <ul style="list-style-type: none"> • Single Dwelling: 3.0 metres minimum. • Dual Occupancy: 3.0 metres minimum. • Combined driveway for more than 2 dwellings: 3.0 metres minimum except where the driveway length exceeds 40 metres, a passing bay to an overall minimum width of 5.0 metres for a length of 10 metres with suitable transitions to the adjacent narrow driveway. 									
B6.3 Off-Street Vehicle Parking Requirements									
<p>Controls The minimum number of vehicle parking spaces to be provided for off-street parking is as follows for dual occupancies, dwelling houses, secondary dwellings, exhibition homes, rural workers' dwellings and tourist and visitor accommodation: <u>2 bedrooms or more – 2 spaces</u> Minimum dimensions of internal space for on-site parking are:</p> <table border="1"> <tr> <td colspan="2">Minimum dimensions of internal space for on-site parking are:</td></tr> <tr> <td>Single car parking spaces on hard stand and Single Carport</td><td>2.4 metre x 5.5 metre with 0.3m minimum clear space each side for access to doors</td></tr> <tr> <td>Enclosed garage(internal dimension)</td><td>3.0 metre x 6.0 metre, with 2.4 metre minimum width entry</td></tr> <tr> <td>Multiple side by side carport and enclosed garage(internal dimension)</td><td>5.7 metre x 6.0 metre for 2 adjacent vehicles + 2.7 metre width for each additional vehicle with, 2.4 metre width entry per vehicle space</td></tr> </table>	Minimum dimensions of internal space for on-site parking are:		Single car parking spaces on hard stand and Single Carport	2.4 metre x 5.5 metre with 0.3m minimum clear space each side for access to doors	Enclosed garage(internal dimension)	3.0 metre x 6.0 metre, with 2.4 metre minimum width entry	Multiple side by side carport and enclosed garage(internal dimension)	5.7 metre x 6.0 metre for 2 adjacent vehicles + 2.7 metre width for each additional vehicle with, 2.4 metre width entry per vehicle space	<p>Complies Two spaces are proposed to be provided to the rear of the dwelling located on Lot 1 to compensate for the removal of the single garage. Lot 2 has the potential for two enclosed spaces and provision for additional visitor parking within the proposed turning circle area shown on Plan A.3 of the Development Plans (Appendix B).</p>
Minimum dimensions of internal space for on-site parking are:									
Single car parking spaces on hard stand and Single Carport	2.4 metre x 5.5 metre with 0.3m minimum clear space each side for access to doors								
Enclosed garage(internal dimension)	3.0 metre x 6.0 metre, with 2.4 metre minimum width entry								
Multiple side by side carport and enclosed garage(internal dimension)	5.7 metre x 6.0 metre for 2 adjacent vehicles + 2.7 metre width for each additional vehicle with, 2.4 metre width entry per vehicle space								
<p>Variations <u>Car Parking for Secondary Dwelling or Dual Occupancy</u> A reduction in the car parking requirements for a secondary dwelling or dual occupancy to a minimum of 2 spaces per allotment may be considered on merit.</p>	<p>Complies The development would result in a net increase of parking on Lot 1 which services the existing dwelling and secondary dwelling.</p>								
B6.7 Transport and Traffic Management									
<p>Transport and Traffic Planning An assessment of the impact of traffic generated by the proposed development on the local street system must be undertaken. Adequate vehicular entrances to and exits from the site are to be provided so that vehicles using those entrances and exits will not endanger persons using adjoining roads.</p>	<p>Complies The proposed minor infill development will have no impact on the capacity of the existing road and transport network.</p>								
Chapter B8: Site Works Management									
<p>B8.3 Construction and Demolition - Waste Minimisation Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</p>	<p>Complies See attached Waste Management Plan (Appendix G) confirming consistency with the development outcomes of the policy.</p>								
SECTION C: DEVELOPMENT TYPE CONTROLS									
Chapter C4: Design Criteria for Subdivision									

DCP Clause / Provision	Statement of Compliance
C4.1 Subdivision - Protection from Hazards <i>All subdivision is to be designed such that adequate building platforms/building areas are provided that have a low risk due to hazards including flood, landslip, bushfire, coastline and estuarine hazards.</i> <i>The subdivision must not have any adverse affect or provide a threat on public or private infrastructure, assets and people in the vicinity.</i>	Complies The reports and designs provided by Structerre and AW Geotechnical confirm the suitability of the site for subdivision based on natural attributes and hazards. The proposal will not detrimentally impact public or private infrastructure, assets or people.
C4.2 Subdivision - Access Driveways and Off-Street Parking Facilities <i>(i) Off-Street Parking Requirements</i> <i>The design of each individual lot created within the subdivision is to provide for off street parking facilities compatible with the proposed development uses for that lot.</i> <i>(ii) Access Driveways (ie; driveway crossings)</i> <i>A safe and functional access driveway must be designed and constructed from the road edge/kerb and gutter to the lot boundary for each individual lot within the subdivision as part of the subdivision works.</i> <i>Only one driveway access to a public road is permitted for each lot.</i> <i>(iii) Internal Driveways</i> <i>The design of each individual lot created within the subdivision is to provide for an internal driveway compatible with the proposed development uses for each individual lot.</i> <i>Where an internal driveway is located within a 'right of way' or proposed 'right of way', the internal driveway is to be designed and constructed as part of the subdivision works.</i>	Complies Each lot has adequate off-street parking and a functional access as well as a driveway that enables vehicles to enter and exit the site in a forward motion (refer Turning Circle Plan in Appendix B).
C4.5 Subdivision - Utility Services <i>All lots created within the subdivision are to be fully serviced by:</i> <ul style="list-style-type: none"> • Electricity • Water • Gas • Communications • Sewer 	Complies Access to services is available to the site.
C4.7 Subdivision - Amenity and Design Subdivision Design <i>Subdivision should be designed to ensure that</i> <ol style="list-style-type: none"> <i>all properties, both existing and proposed, achieve/retain a level of amenity commensurate with the locality and the desired character of the area;</i> <i>the impact on the environment of the completed development (including buildings to be constructed on the proposed lots) has an acceptable impact on the environment.</i> <i>A comprehensive site analysis taking into account the following characteristics is to be carried out as part of the subdivision design process. This analysis should take into account the final development which will occur on the site as a result of the subdivision. The analysis and resultant subdivision design should address the following issues:-</i> <ul style="list-style-type: none"> • <i>the slope, topography and any natural features (e.g. creeklines);</i> • <i>trees and vegetation (particularly trees worthy of retention);</i> • <i>viewlines from within the proposed lots and from adjoining properties;</i> • <i>solar access to the subdivision site;</i> • <i>the side, rear and front setbacks of future dwellings and structures in relation to the proposed new boundaries and development on adjoining properties;</i> 	Complies A Site Analysis has been prepared and included in the Development Plans (Appendix B) for this proposal. The Development Plans confirm compliance with the development outcomes for the policy. The proposal: <ul style="list-style-type: none"> • Is consistent with the existing development pattern within the locality. • Will not adversely impact the amenity of the locality. • Includes a compliant indicative building footprint according to council controls and within the constraints of the site. • The lot arrangement complies with the Usable Site Area requirement.

DCP Clause / Provision	Statement of Compliance
<ul style="list-style-type: none"> the visual impact of built development which will occur as a result of the subdivision process (building height, bulk and scale, visual impact of buildings); the provision of vehicular access to the future buildings on the proposed lots; the provision of landscaping and/or recreation space for each proposed lot; the provision of onsite car parking on each proposed lot; the provision of services to each lot, including sewerage, water, electricity, communications and gas (where available); the provision of emergency services to each (bushfire, fire brigade, ambulance). <p>In order to address these issues, a building envelope area is to be nominated on each proposed lot within which any future building is to be contained. The application should clearly demonstrate that a building envelope can be built on site that has regard for the following:</p> <ul style="list-style-type: none"> retention of trees and bushland, vehicular access, provision of services, provision of emergency services, and safety from hazard, A building which achieves the desired character of the area and is commensurate with the amenity standards of surrounding development, and does not overly impact on the environment, and can be erected within that envelope. <p><u>Usable Site Area</u></p> <p>Where a right-of-carriageway to another lot is provided over a lot, the width of that right-of-carriageway shall not be more than 20% of the required minimum width of the lot over which it is located.</p>	
C4.8 Subdivision - Landscaping on the Existing and proposed public road reserve frontage to subdivision lots	
<p>Landscaping General</p> <p>Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres.</p> <p>Street trees are to be planted to encourage the free passage of pedestrians along the road verge and not interfere with existing power lines.</p> <p>Tree species are to be a minimum 35 litre size with 1m x1m hole and backfilled with planting medium. Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with hessian ties.</p> <p>All existing trees over 3m in height and native vegetation and trees within the road reserve areas are to be retained where practical. Such trees are to be protected through perimeter 1.8m high temporary fencing during the construction of works.</p> <p>Selected species are to as per the existing adjacent street trees or native species to the area.</p> <p>Council encourages the use of local endemic native species according to the list of local native species in Pittwater http://www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants/species_lists</p> <p>Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.</p>	<p>Complies</p> <p>One existing tree identified within the Arboricultural Report will be removed to construct the driveway. The existing landscaping, including any trees in the public road reserve, will be retained in compliance with the development outcomes of this policy.</p>

DCP Clause / Provision	Statement of Compliance
SECTION D: LOCALITY SPECIFIC DEVELOPMENT CONTROLS	
Various Controls	
The planning controls in Part D of the DCP affect the design of any future dwelling resulting from the proposed subdivision development in Elanora Heights.	<p>Complies</p> <p>The allotments are of a size and dimension that can accommodate fully compliant dwelling houses, designed and sited to maintain established view lines, compliant solar access and appropriate residential amenity to the adjoining residential land. These matters will be fully considered and addressed in the preparation of any subsequent dwelling house development application.</p>

4.4 Section 4.15 Considerations

4.4.1 Suitability of the site

The previous sections of this report have demonstrated the suitability of the site for the proposed usage, particularly in terms of:

- The proposal is consistent with the existing development within the locality.
- The proposal is consistent with the objectives and development standards applying to the land.
- Overall, the development is considered an appropriate usage of the site.

4.4.2 Public interest

The proposal is considered to accord with the wider public interest in that:

- It provides an appropriate use of the site;
- It will have a positive effect on the streetscape and immediate locality; and
- It is consistent with all relevant LEP aims and objectives

4.4.3 Section 4.15 of the Environmental Planning and Assessment Act, 1979

Matters for Consideration	Considered?
Section 4.15 (1) (a)(i) – Has consideration been given to all relevant provisions of any relevant environmental planning instrument?	Yes
Section 4.15 (1) (a)(ii) – Has consideration been given to 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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)?	Yes
Section 4.15 (1) (a)(iii) – Has consideration been given to all relevant provisions of any provisions of any development control plan?	Yes
Section 4.15 (1) (a)(iia) – Has consideration been given to all relevant provisions of any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?	N/A
Section 4.15 (1) (a)(iv) – Have you considered all relevant provisions of the Regulations (to the extent that they are prescribed for the purposes of this paragraph)?	Yes
Section 4.15 (1) (b) – Are the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality acceptable?	Yes

Matters for Consideration	Considered?
Section 4.15 (1) (c) – Is the site suitable for the development?	Yes
Section 4.15 (1) (d) – Has consideration been given to any submissions made in accordance with the EPA Act or EPA Regulations?	TBA by Council
Section 4.15 (1) (e) – Is the proposal in the public interest?	Yes

5 Summary and Conclusion

Council Approval Group is pleased to submit this Statement of Environmental Effects and accompanying information for one into two lot subdivision at 7 Cooleena Rd, Elanora Heights.

This Statement of Environmental Effects for the proposed development has considered:

- the circumstances of the case;
- an analysis of the subject site and the surrounding locality;
- an analysis of the proposal against the provisions of the LEP 2014, as well as relevant DCPS, SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- Section 9.1 Directions.

This report concludes that the proposal will substantially complement the objectives and vision of the Plan, Zone, and DCP in particular:

- The proposed subdivision would provide an opportunity for additional low-density housing that is able to protect the ecological, scientific and aesthetic values of the area.
- The Site Plan provides an indicative development footprint that allows for a dwelling design that would be well integrated with the landform and landscape.
- The proposal has sufficiently addressed environmental considerations and potential hazards.
- It will not result in any significant unacceptable offsite impacts that limit the use or enjoyment of nearby or adjoining land.
- The proposed subdivision would have no significant adverse impacts on riparian and foreshore vegetation or wildlife corridors.

We are pleased to present this SoEE for one into two lot subdivision, which, once approved, will provide an opportunity for additional low-density housing that would take into consideration the environmental values of the local area.

5.1 Recommendation

Under all the circumstances of the case, it is therefore recommended to Council for favourable consideration.

Appendix A. Survey Plan

Appendix B. Development Plans

Appendix C. Stormwater Plans

Appendix D. Stormwater Easement

Appendix E. Arboricultural Report

Appendix F. Geotechnical Report

Appendix G. Waste Management Plan