



Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision

10 Lockwood Avenue Frenchs Forest
Lot 14 DP 225454

**Prepared by Cutting Edge Planning Pty Ltd on behalf
of VD&D**

1 May 2025

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10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

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Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

TABLE OF CONTENTS

PART 1	OVERVIEW	5
1.1	INTRODUCTION	5
PART 2	ANALYSIS OF THE SITE	6
2.1	SITE DESCRIPTION AND KEY FEATURES	6
2.2	LOCAL CONTEXT	8
PART 3	PROPOSED DEVELOPMENT	9
3.1	SUMMARY OF PROPOSED DEVELOPMENT	9
3.2	DEVELOPMENT PARTICULARS	9
PART 4	RELEVANT PLANNING FRAMEWORK	13
4.1	OVERVIEW OF APPLICABLE PLANNING INSTRUMENTS	13
4.2	ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979	13
4.3	ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2021.....	14
4.4	WATER MANAGEMENT ACT 2000	15
4.5	BIODIVERSITY CONSERVATION ACT 2016	15
4.6	STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021 ..	15
4.7	STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021	15
4.8	STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021..	16
4.9	STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021	16
4.10	STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022.....	19
4.11	WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011.....	19
4.12	DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS.....	22
4.13	WARRINGAH DEVELOPMENT CONTROL PLAN 2011.....	23
PART 5	POTENTIAL ENVIRONMENTAL IMPACTS	24
5.1	CONTEXT AND SETTING.....	24
5.2	SOIL AND WATER	24
5.2.1	Stormwater.....	24
5.3	NOISE	24
5.4	WASTE	24
5.5	CONSTRUCTION	25
5.6	CUMULATIVE IMPACTS.....	25
5.7	SUITABILITY OF SITE FOR DEVELOPMENT	25
5.8	SUBMISSIONS.....	25
5.9	THE PUBLIC INTEREST	25
PART 6	CONCLUSION	26

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

APPENDICES

Appendix	Document	Prepared by
1	WDCP2011 Compliance Table	Cutting Edge Planning

FIGURES

Figure 1. Aerial Map of Site (Source: Mecone Mosaic, 2025)	6
Figure 2. Cadastral Map of Site (Source: Mecone Mosaic, 2025)	7
Figure 3. View of Site from Lockwood Avenue (Source: Google Street View, 2025).....	7
Figure 4. Proposed Ground Floor Plan (Source: VD&D, 2025).....	10
Figure 5. Proposed First Floor Plan (Source: VD&D, 2025)	10
Figure 6. Proposed Roof Plan (Source: VD&D, 2025)	11
Figure 7. Proposed North and South Elevation Plan (Source: VD&D, 2025)	11
Figure 8. Proposed East and West Elevation Plan (Source: VD&D, 2025)	12
Figure 9. WLEP2011 Land Zoning Map - LZN_007 (Source: Legislation NSW, 2025)	21

TABLES

Table 1. Development Particulars	9
Table 2. Section 4.15(1)(A) Considerations	13
Table 3. How the DA is Made	14
Table 4. SEPP Housing	17
Table 5. Warringah Local Environmental Plan 2011	19
Table 6. Development Standards.....	22

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

PART 1 OVERVIEW

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Cutting Edge Planning (CEP) on behalf of VD&D and is submitted to Northern Beaches Council (Council) to support a Development Application (DA) for the proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision located at 10 Lockwood Avenue Frenchs Forest, legally defined as Lot 14 DP 225454.

The Site is zoned R2 Low Density Residential pursuant to the *Warringah Local Environmental Plan 2011* (WLEP2011) and is located within the Northern Beaches Local Government Area (LGA). The proposed development is permissible with development consent within the R2 zone and would be contextually appropriate. The proposed development is consistent with surrounding land uses and would contribute to the efficient use of the R2 Low Density Residential zoned land.

The proposal is sympathetic to the existing and evolving nature of residential developments in the locality and complements the surrounding building scale. The proposed works also contribute to the local character.

In our opinion, the proposed development satisfies the relevant zone and building height objectives of the WLEP2011. The proposal is also consistent with the objectives of the Warringah Development Control Plan 2011 (WDCP2011). Importantly, the proposal is compatible with the existing and surrounding character and is therefore expected to maintain neighbour amenity.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation). Consideration of the relevant matters for consideration under Section 4.15(1) of the EP&A Act has also been given.

The SEE is structured as follows:

- **Part 1** Overview
- **Part 2** Analysis of the Site
- **Part 3** Proposed Development
- **Part 4** Relevant Planning Framework
- **Part 5** Potential Environmental Impacts
- **Part 6** Conclusion

Based on the findings of this SEE, it is recommended that favourable consideration to the approval of the DA be given.

1.2 DEVELOPMENT HISTORY

A search of Council's online DA tracker has resulted in one (1) previous application pertaining to the Site as detailed below:

- DA2001/0887 – Alterations and Additions - (renovations to Existing Balcony, removal of Rear Window and Installation of French Doors-Existing Greenhouse Will Become a Laundry) (approved)

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

PART 2 ANALYSIS OF THE SITE

2.1 SITE DESCRIPTION AND KEY FEATURES

The Site which is subject to this application is identified as 10 Lockwood Avenue, Frenchs Forest, being legally described as Lot 14 DP 225454.

The Site is located on the northern side of Lockwood Avenue, exhibits a total area of **778.6m²** and is subject to applicable provisions outlined within WLEP2011. It is regular in shape, with a northern boundary of 17.3m, an eastern boundary of 42.393m, a western boundary of 42.447m and a southern boundary of 19.418m to Lockwood Avenue. The Site has a relatively flat topography of 1.19m from south to north (RL 160.3 AHD - RL 159.11 AHD)

The site is occupied by a one-storey brick dwelling. The site has vehicular and pedestrian access from Lockwood Avenue.

The location of the Site and existing Site development are depicted in **Figures 1 - 3** below.



Figure 1. Aerial Map of Site (Source: Mecone Mosaic, 2025)

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

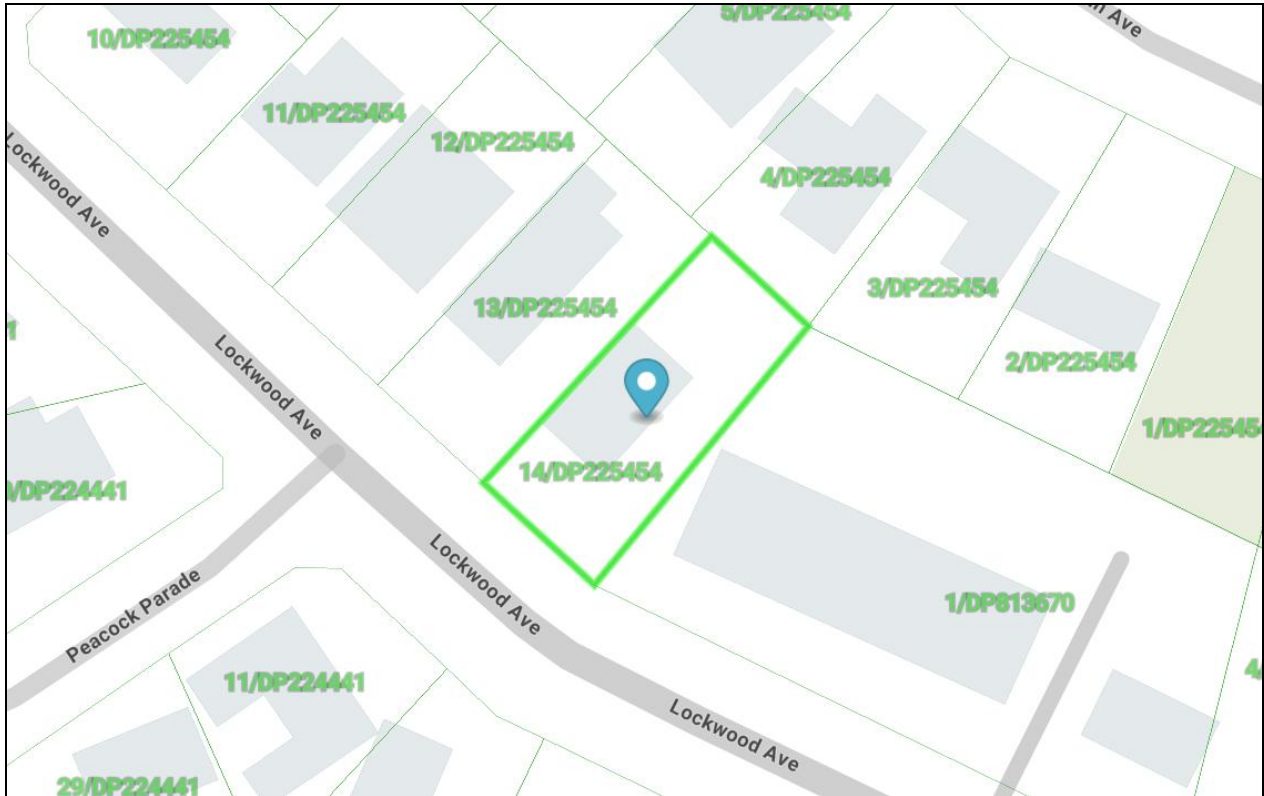


Figure 2. Cadastral Map of Site (Source: Mecone Mosaic, 2025)



Figure 3. View of Site from Lockwood Avenue (Source: Google Street View, 2025)

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

2.2 LOCAL CONTEXT

The Site is located in the suburb of Frenchs Forest, approximately 13km north of the Sydney Central Business District (CBD) and makes up part of the Northern Beaches LGA.

The Site is located within residential zoned land surrounded by similar residential developments including one and two storey dwelling houses as well as St Stephens Belrose Kindergarten and Anglican Church directly adjoining the Site to the East.

The Site is highly accessible given its link to major roads including Forest Way to the east; and Warringah Road to the south providing connectivity to the immediate locality, as well as the wider Northern Beaches Area. The Site is also accessible via public transport with bus stops located along Lockwood Avenue approximately 40m to the west of the Site.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

PART 3 PROPOSED DEVELOPMENT

3.1 SUMMARY OF PROPOSED DEVELOPMENT

This DA seeks development consent for the demolition of existing structures and construction of an attached dual occupancy and strata subdivision.

More specifically, the proposal comprises:

- Demolition of existing structures;
- Site preparation works;
- Construction of a two storey attached dual occupancy with each dwelling comprising:
 - Ground Floor:
 - Guest bedroom;
 - Home Cinema;
 - Bathroom;
 - Laundry;
 - Open plan kitchen/living/dining;
 - Outdoor BBQ and leisure area; and
 - Garage.
 - First Floor:
 - Three bedrooms which includes a master bedroom with a walk-in robe and ensuite;
 - Study; and
 - Bathroom.
- Associated landscaping.

The proposed development has been informed and prepared with regard to detailed opportunities and identified constraints through a comprehensive Site analysis. The Site context is considered to be the principle influence on the design, with the intent to respond to the Site's permissibility based on the Site being zoned R2 Low Density Residential. Furthermore, the Site and proposed development would result in minimal impact on the surrounding environment and maintain the local character.

The extracts of the proposed works are depicted **Figures 4-8** below.

3.2 DEVELOPMENT PARTICULARS

The proposed development includes those works as identified in **Table 1** below.

Table 1. Development Particulars	
Component	Proposed
Site Area	778.6m ²
Land Use	Dual Occupancy
Gross Floor Area (GFA)	465.82m ²
Height of Building (HOB)	7.2m
Landscaping	322.01m ² (41.4%)
Private Open Space	110m ² per dwelling
Car parking	Two vehicles per dwelling (tandem parking)

A Comprehensive set of Architectural Plans have been prepared by VD&D, which have been submitted separately.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

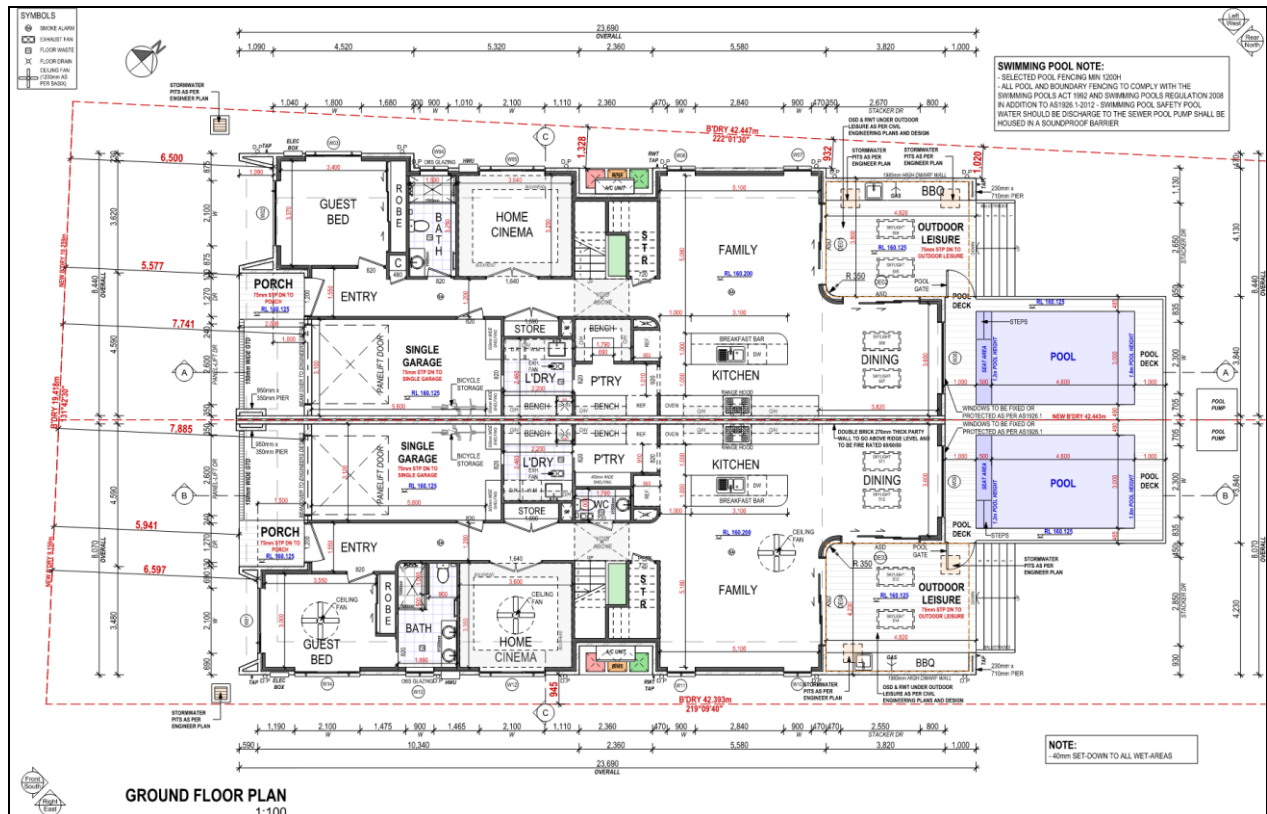


Figure 4. Proposed Ground Floor Plan (Source: VD&D, 2025)

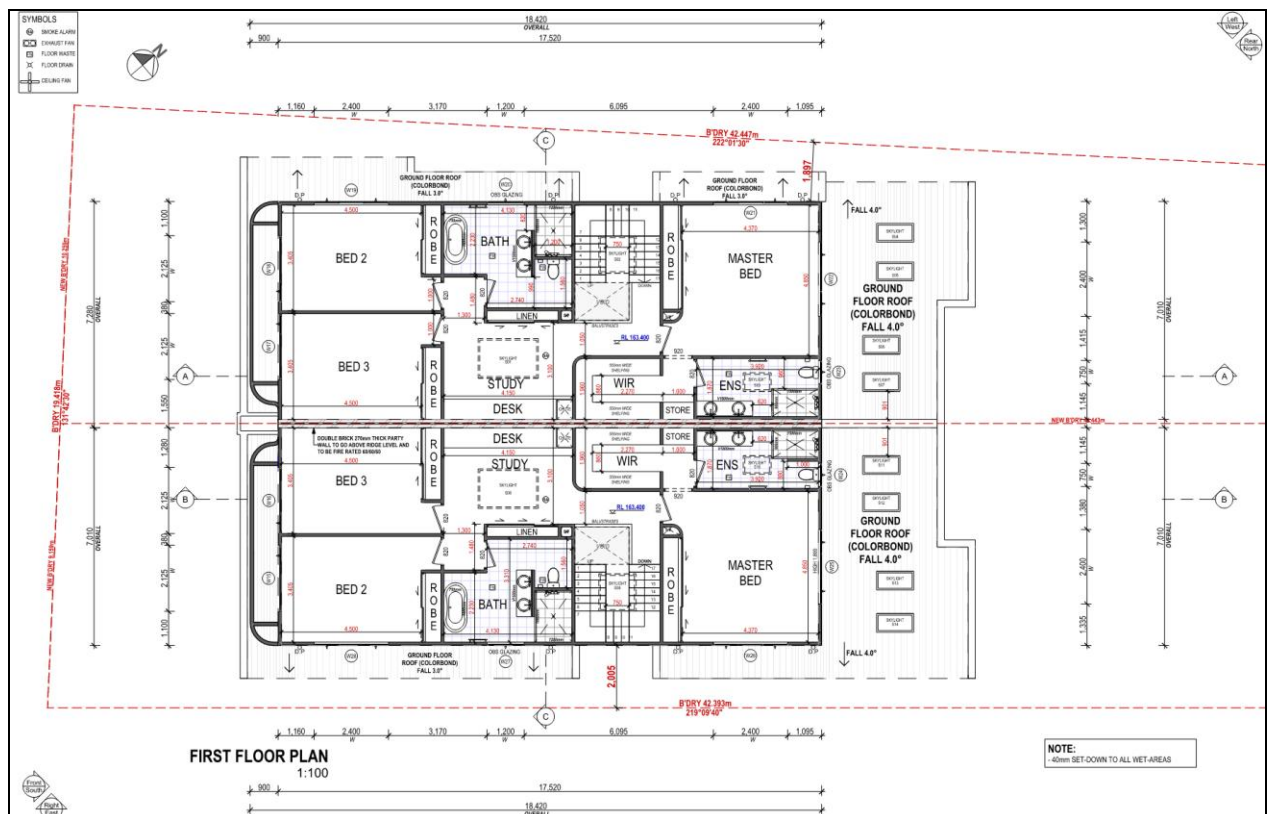


Figure 5. Proposed First Floor Plan (Source: VD&D, 2025)

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)



Statement of Environmental Effects

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10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

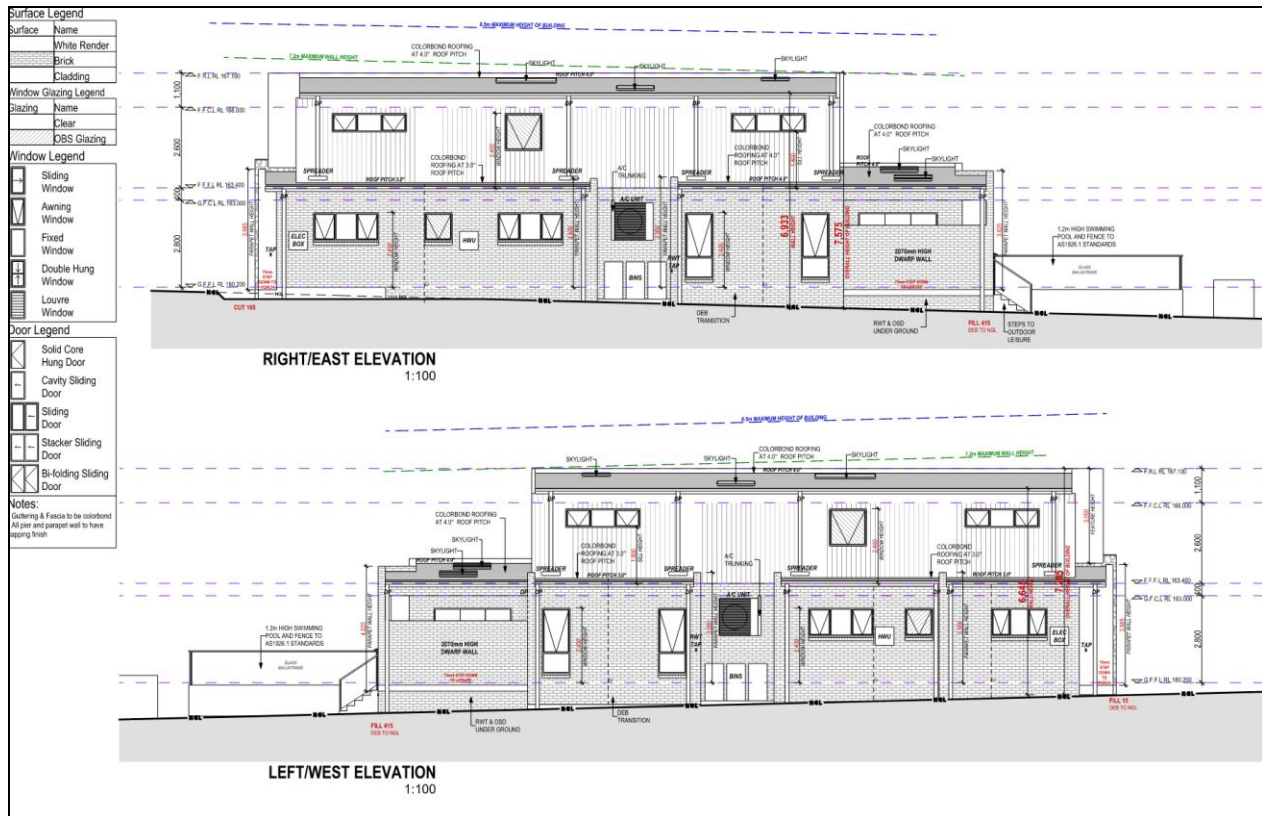


Figure 8. Proposed East and West Elevation Plan (Source: VD&D, 2025)

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

PART 4 RELEVANT PLANNING FRAMEWORK

4.1 OVERVIEW OF APPLICABLE PLANNING INSTRUMENTS

This section of the SEE addresses the applicable legislative and policy requirements for the proposal, as required under the EP&A Act. The relevant statutory planning framework informing the preparation of this SEE includes:

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*
- *State Environmental Planning Policy (Housing) 2021;*
- *State Environmental Planning Policy (Building Sustainability) 2022;*

Local Planning Context

- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan 2011*

4.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The EP&A Act is the primary legislation governing planning and development in New South Wales. Under Part 4 of the Act, the proposal is classified as local development.

4.2.1 Section 4.15(1) of the EP&A Act

Section 4.15(1) of the EP&A Act outlines the matters that a consent authority must take into account when assessing a development application. **Table 2** below identifies the relevant considerations under Section 4.15(1) as they apply to the proposal.

Table 2. Section 4.15(1)(A) Considerations	
Section	Comment
Section 4.15(1)(a)(i) any environmental planning instrument, and	EPI's are addressed in Section 4.6-4.11 of this SEE.
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Northern Beaches Comprehensive LEP Planning Proposal is applicable to this application and addressed in Section 4.12 .
Section 4.15(1)(a)(iii) any development control plan, and	WDPC2011. This is addressed in Section 4.13 of this SEE.
Section 4.15(1)(a)(iiia) 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, and	N/A
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulations is addressed in Section 4.3 of this report.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

Section 4.15(1)(b)-(c)

Refer to **Part E**.

4.2.2 Section 4.46 of the EP&A Act – Integrated Development

Section 4.46 of the EP&A Act defines 'integrated development' as development that requires consent from the local council as well as approvals from one or more other government authorities under separate legislation. In such cases, Council must obtain the General Terms of Approval (GTAs) from each relevant approval body before development consent can be granted.

The proposed development is not identified as being integrated development.

4.3 ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2021

The proposal has been prepared in accordance with the requirements of the EP&A Regulation. Division 1 of Part 3 of the Regulation outlines the procedural requirements for the lodgement of a development application. This application complies with the relevant provisions of the Regulation, as demonstrated below:

Table 3. How the DA is Made	
Considerations	Response
Division 1 – Making development applications	
<i>Section 23 – Persons who may make development applications</i>	
<i>(1) A development application may be made by—</i>	This DA is made by VD&D.
<i>(a) the owner of the land to which the development application relates, or</i>	The owner of the land has provided consent in accordance with Clause 23(1) of the EP&A Regulation to allow for the DA to be made.
<i>(b) another person, with the consent of the owner of the land.</i>	
<i>Section 24 – Content of development applications</i>	
<i>(1) A development application must—</i>	The DA includes all relevant information including details of the development, address and formal particulars, estimated cost of development, owner’s consent, supporting documents including detailed plans and SEE. This DA is submitted via the NSW planning portal.
<i>(a) be in the approved form, and</i>	
<i>(b) contain all the information and documents required by—</i> <i>(i) the approved form, and</i> <i>(ii) the Act or this Regulation, and</i>	
<i>(c) be submitted on the NSW planning portal.</i>	
<i>Section 25 – Information about concurrence or approvals</i>	
<i>A development application must contain the following information—</i>	This development application solely requires approval from the consent authority, being Northern Beaches Council.
<i>(a) a list of the authorities —</i> <i>(i) from which concurrence must be obtained before the development may lawfully be carried out, and</i> <i>(ii) from which concurrence would have been required but for the Act, section 4.13(2A) or 4.41,</i>	
<i>(b) a list of the approvals of the kind referred to in the Act, section 4.46(1) that must be obtained before the</i>	

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

<i>development may lawfully be carried out.</i>	
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4.4 WATER MANAGEMENT ACT 2000

The Water Management Act 2000 (WM Act) aims to ensure the sustainable and integrated management of the state's water resources for the benefit of current and future generations. Under Clause 91 of the WM Act, a Controlled Activity Approval may be required where proposed works are located within 40 metres of a watercourse.

The Site is not located within 40m of a natural watercourse. Therefore, a controlled activity approval is not required.

4.5 BIODIVERSITY CONSERVATION ACT 2016

The Biodiversity Conservation Act 2016 (BC Act) is the primary legislation in New South Wales for the protection and management of biodiversity, including threatened species and ecological communities. The objective of the BC Act is to "maintain a healthy, productive and resilient environment, for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development." The Act is supported by the Biodiversity Conservation Regulation 2017 (BC Regulation), which provides detailed provisions for its implementation.

The Site is not identified as containing biodiversity on the Biodiversity Values Map and Threshold Tool. Therefore, no further consideration is warranted.

4.6 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Among other functions, *State Environmental Planning Policy (Transport and Infrastructure) 2021* (SEPP Transport and Infrastructure) repeals the former *State Environmental Planning Policy (Infrastructure) 2007* and provides for certain proposals, known as Traffic Generating Development, to be referred to Transport for NSW (TfNSW) for concurrence.

Under Clause 2.121 of SEPP Transport and Infrastructure, referral may be required for 'Traffic Generating Development' Schedule 3 lists the types of development that are defined as 'Traffic Generating Development'. The thresholds for residential accommodation include:

- *300 or more dwellings with access to a road (generally)*
- *75 or more dwellings with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)*

The proposal comprises a dual occupancy. As proposed, the proposal does not trigger Traffic Generated Development. Therefore, referral to TfNSW is not required as part of this DA.

4.7 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP Resilience and Hazards) repeals the former *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* and *State Environmental Planning Policy No. 55 – Remediation of Land*.

Clause 4.6 of SEPP Resilience and Hazards requires that a consent authority must not grant development consent on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The Site is located within a well-established residential area. In addition, the Site does not propose the storage and/or handling of potentially dangerous goods or materials. Therefore, further assessment of SEPP Resilience and Hazards is not warranted.

4.8 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

SEPP (Biodiversity and Conservation) 2021 was gazetted on 1 March 2022 and consolidates 11 previous SEPPs. Certain provisions of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) have been transferred into Chapter 6 of the new SEPP. Clause 6.6 is relevant in this instance and states:

(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—

(a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,

(b) whether the development will have an adverse impact on water flow in a natural waterbody,

(c) whether the development will increase the amount of stormwater run-off from a site,

(d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,

(e) the impact of the development on the level and quality of the water table,

(f) the cumulative environmental impact of the development on the regulated catchment,

(g) whether the development makes adequate provision to protect the quality and quantity of ground water.

(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—

(a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and

(b) the impact on water flow in a natural waterbody will be minimised.

(3) Subsections (1)(a) and (2)(a) do not apply to development on land in the Sydney Drinking Water Catchment.

The proposal is considered to satisfy the above by utilising the Stormwater Management Plan which has been submitted separately.

4.9 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

State Environmental Planning Policy (Housing) 2021 (SEPP Housing) repeals several SEPPs. Chapter 3, Part 2 of SEPP Housing relates to the erection of a dual occupancy. **Table 4** below addresses the applicable controls within the SEPP Housing in relation to dual occupancies.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

Table 4. SEPP Housing		
Control	Compliance	Comment
164 Land to which chapter applies (1) This chapter applies to the whole of the State, other than the following— (a) bush fire prone land,	YES	The Site is not identified as bushfire prone land.
(b) land identified as a coastal vulnerability area or a coastal wetlands and littoral rainforests area within the meaning of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> , Chapter 2,	YES	The Site is not identified as a coastal vulnerability area or a coastal wetlands or littoral rainforest.
(c) land to which Chapter 5 applies,	YES	Chapter 5 does not apply to the Site as it is not a Transport Orientated Development (TOD).
(d) land that is a heritage item or on which a heritage item is located,	YES	The Site is not identified as a heritage item.
(e) the following local government areas— (i) Bathurst Regional, (ii) City of Blue Mountains, (iii) City of Hawkesbury, (iv) Wollondilly,	YES	The Site is located within the Northern Beaches LGA.
(f) flood prone land in the Georges River Catchment and Hawkesbury-Nepean Catchment under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> , Chapter 6,	YES	The Site is not located within the Georges River Catchment and Hawkesbury-Nepean Catchment. It is located within the Sydney Harbour Catchment.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

(g) land in a flood planning area in the following local government areas— (i) Armidale Regional, (ii) Ballina, (iii) Bellingen, (iv) Byron, (v) City of Cessnock, (vi) Clarence Valley, (vii) City of Coffs Harbour, (viii) Dungog, (ix) Goulburn Mulwaree, (x) Kempsey, (xi) Kyogle, (xii) City of Lismore, (xiii) City of Maitland, (xiv) Nambucca Valley, (xv) City of Newcastle, (xvi) Port Stephens, (xvii) Queanbeyan-Palerang Regional, (xviii) Richmond Valley, (xix) City of Shoalhaven, (xx) Singleton, (xxi) Tweed, (xxii) Upper Hunter Shire, (xxiii) Walcha,	YES	The Site is not within a flood planning area and is located within the Northern Beaches LGA.
(h) land in an ANEF contour or ANEC contour of 20 or greater,	YES	The Site is not located in an ANEF contour or ANEC contour of 20 or greater.
(i) land within 200m of a relevant pipeline within the meaning of State Environmental Planning Policy (Transport and Infrastructure) 2021, section 2.77,	YES	The Site is not located within 200m of a relevant pipeline.
(j) land identified as “Deferred Transport Oriented Development Areas” on the <u>Deferred Transport Oriented Development Areas Map</u> ,	YES	The Site is not identified as “Deferred Transport Oriented Development Areas”.
(k) land within 800m of a public entrance to a railway, metro or light rail station listed in Schedule 12.	YES	The Site is not located within 800m of a public entrance to a railway, metro or light rail station listed in Schedule 12.
(2) This chapter does not apply to land identified as an “Accelerated TOD Precinct” on the <u>Accelerated Transport Oriented Development Precincts Rezoning Areas Map</u> .	YES	The Site is not identified as an “Accelerated TOD Precinct” on the Accelerated Transport Oriented Development Precincts Rezoning Areas Map.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

<p>(3) In this section— ANEC contour has the same meaning as in <i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i>, section 4.17. ANEF contour has the same meaning as in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>. flood planning area has the same meaning as in the <i>Flood Risk Management Manual</i>.</p>	Noted	Noted.
<p>Part 2 Dual occupancies and semi-detached dwellings</p> <p>Division 1 Preliminary</p> <p>166 Development permitted with development consent</p> <p>Development for the purposes of dual occupancies or semi-detached dwellings is permitted with development consent on land to which this chapter applies in Zone R2 Low Density Residential.</p>	YES	As outlined in this table above, Chapter 6 of SEPP Housing applies to the Site. The Site is zoned R2 Low Density Residential pursuant to the WLEP2011. The proposal seeks consent for a dual occupancy within the R2 zone. Therefore, the proposal seeks permissibility for a dual occupancy pursuant to Clause 166 of the SEPP Housing.

4.10 STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

SEPP (Sustainable Buildings) 2022 commenced on 1 October 2023, and applies to the subject site. SEPP Sustainable Buildings requires all alterations and additions in NSW to meet sustainability targets for energy use and water use. In considering the merits of the proposal, it is appropriate to refer to the sustainability targets of the SEPP.

A BASIX Report prepared for the proposed development (separately submitted) shows the proposed development can satisfy the relevant water and energy reducing targets.

4.11 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The WLEP2011 is the principal Environmental Planning Instrument (EPI) applying to the subject site. The applicable provisions of WLEP2011, as they relate to the proposed development, are addressed below:

4.11.1 Zoning and Permissibility

Pursuant to the WLEP2011, the site is zoned R2 Low Density Residential. **Table 4** below outlines the zone objectives and permissible land uses relevant to the Site, as set out in WLEP2011.

Table 5. Warringah Local Environmental Plan 2011	
Requirement	Application to Proposed Development
Clause 2.3 – Zone objectives and Land Use Table	(2) <i>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</i>

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

Table 5. Warringah Local Environmental Plan 2011

Requirement	Application to Proposed Development
R2 Low Density Residential	
R2 Low Density Residential – Objectives of the zone	<ul style="list-style-type: none"> ▪ <i>To provide for the housing needs of the community within a low density residential environment.</i> ▪ <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> ▪ <i>To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.</i> <p>The proposed development is consistent with the objectives of the zone as it provides a low density dual occupancy development providing housing diversity within a well established residential area. The Site is surrounded by R2 Low Density Residential zoned land used for similar low density residential development and is therefore compatible with the surrounding context. The proposed development will not exhibit any additional direct offsite impacts during demolition, construction or operational phases. As such the proposed development will not adversely affect any other sites or land uses including road infrastructure and drainage infrastructure.</p> <p>Given the zoning of the Site and its surrounds, this Application is supported by the current environmental planning framework and is considered to satisfy the objectives of the R2 zone.</p>
Permitted without consent	<i>Home-based child care; Home occupations</i>
Permitted with consent	<p><i>Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals</i></p> <p>Dual occupancies are prohibited within the R2 Low Density Residential zone pursuant to the WLEP2011. Notwithstanding, permissibility is sought pursuant to Clause 166 of SEPP Housing as demonstrated in Table 4 above.</p> <p>It is further noted that the Northern Beaches Comprehensive LEP Planning Proposal which is currently under assessment and pending a Gateway Determination seeks to amend the permissible uses within the R2 zone to include dual occupancies.</p>
Prohibited	<i>Any development not specified in item 2 or 3</i>

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

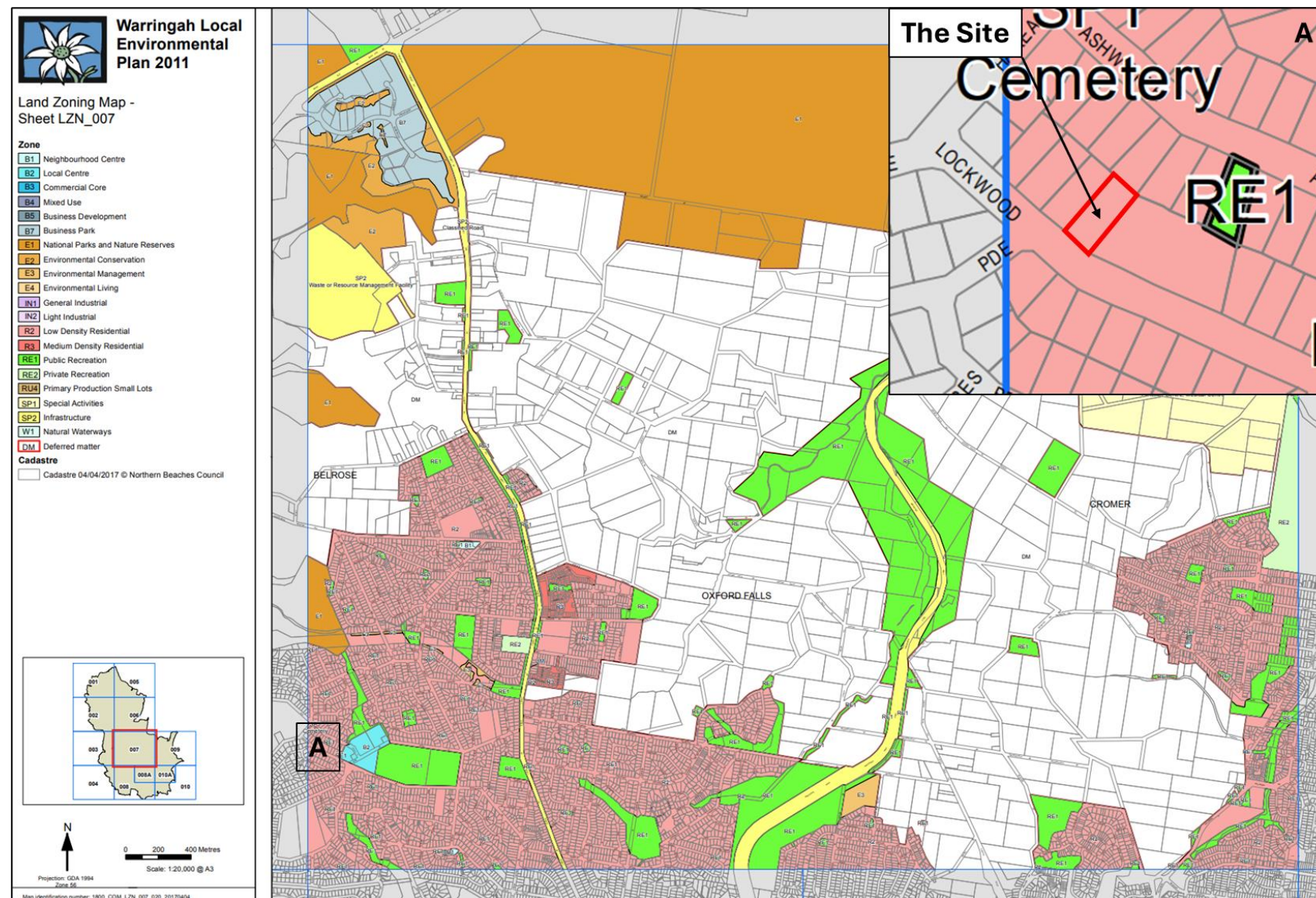


Figure 9. WLEP2011 Land Zoning Map - LZN_007 (Source: Legislation NSW, 2025)

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

Table 6 below provides an assessment of the proposal's consistency with, and compliance against, the relevant development standards and controls contained within the WLEP2011.

Table 6. Development Standards	
Clause	Comment
Clause 4.1 – Minimum subdivision lot size	The Site subject to a minimum lot size of 600m² pursuant to the WLEP2011. Notwithstanding, the proposal is for a dual occupancy with strata subdivision. Therefore, further consideration of Clause 4.1 is not warranted on this occasion.
Clause 4.3 – Height of Buildings	The Site subject to a maximum building height of 8.5m pursuant to the WLEP2011. The proposed development comprises a maximum building height of 7.2m compliant with Clause 4.3.
Clause 4.4 – Floor Space Ratio	The Site is not subject to a maximum FSR pursuant to the WLEP2011. Therefore, further consideration of Clause 4.4 is not warranted on this occasion.
Clause 5.10 – Heritage Conservation	The Site is not identified as a heritage item nor located within a Heritage Conservation Area (HCA) pursuant to the WLEP2011. Therefore, further consideration of Clause 5.10 is not warranted.
Clause 6.1 – Acid Sulfate Soil	The Site is not identified as containing Acid Sulfate Soils (ASS) pursuant to the WLEP2011. Therefore, further consideration of Clause 6.1 is not warranted.
Clause 6.2 – Earthworks	The proposal comprises earthworks for the purposes of creating a building pad for the proposed dual occupancy. A Geotechnical Report and Structural Plans will form part of a future Construction Certificate to ensure the proposal will not have any detrimental effect on, existing drainage patterns and soil stability in the locality.
Clause 6.4 – Development on sloping land	<p>The Site is identified as Area A – Slope <5 degrees on the Landslip Risk Map pursuant to the WLEP2011. A Geotechnical Report will inform any structural plans as part of a future construction certificate to ensure the proposal will not have risk associated with landslides in relation to both property and life. Further, the proposal will adopt appropriate excavation and construction methodology during construction as outlined within a future Geotechnical Report.</p> <p>In addition, the Stormwater Plans have been submitted separately to confirm the proposal will not cause significant detrimental impacts because of stormwater discharge from the Site.</p>

4.12 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

The draft Northern Beaches Comprehensive LEP (dNBLEP) Planning Proposal is currently under assessment and pending a Gateway Determination. Upon review of the draft LEP, a minimum lot size for dual occupancies within the R2 zone of 800m² and 18m lot width at the front building line as well as a maximum FSR of 0.4:1 for lots with an area of 700-899m². The Site comprises an area of 778.6m² and a lot width of >18m at the front building line. Further, the proposal comprises a GFA of 465.82m² resulting in a FSR of 0.6:1.

Notwithstanding the non-compliances with the dNBLEP, it is important to recognise that this planning proposal is still under assessment and has not yet been the subject of a Gateway Determination. As such, while due regard must be given to its provisions under Section 4.15(1)(a)(ii) of the EP&A Act, the draft instrument holds limited statutory weight at this stage and cannot be determinative in the assessment of the development application.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

The existing planning framework under WLEP2011 currently governs development on the Site. WLEP2011 does not prescribe a minimum lot size requirement for dual occupancies within the R2 Low Density Residential zone, nor does it impose a FSR development standard relevant to the Site. Consequently, the proposed development complies with all applicable statutory controls in force at the time of lodgement.

Nevertheless, in recognition of the direction of the future planning framework, consideration has been given to the draft provisions of the dNBLEP. While the Site does not meet the draft FSR control of 0.4:1 for lots with an area of 700–899m², it satisfies the proposed minimum lot width of 18 metres and minor shortfall of approximately 21.4m² with the minimum lot size of 800m². This variation is considered minor in nature and does not materially undermine the strategic intent of the draft control, particularly given the Site's capability to accommodate a well designed dual occupancy that respects the existing and future desired character of the area.

The proposed floor space ratio of 0.6:1 is a function of the Site's context and capacity to absorb built form without adverse environmental, visual, or amenity impacts. The proposal has been designed to maintain appropriate setbacks, open space, and landscaping, while ensuring internal amenity is at a high standard. Importantly, the built form responds positively to the surrounding streetscape.

In light of the above, the proposal represents an orderly and planned form of development that is consistent with the current statutory framework and facilitates increased housing diversity in an appropriate location. The minor non-compliances with the draft planning controls will not result in any unacceptable environmental, social, or economic impacts.

4.13 WARRINGAH DEVELOPMENT CONTROL PLAN 2011

WDCP2011 supports the objectives of WLEP2011, providing more specific controls to protect and enhance the public domain and to contribute to the prosperity and character of Frenchs Forest and the former Warringah LGA in general. An assessment of the proposal against the relevant provisions of the WDCP2011 is provided in **Appendix 1**.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

PART 5 POTENTIAL ENVIRONMENTAL IMPACTS

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1) of the EP&A Act.

5.1 CONTEXT AND SETTING

The proposed development for the demolition of existing structures and construction of an attached dual occupancy and strata subdivision. As submitted and detailed throughout this SEE, the proposal is considered to be compatible with the existing character of the Site and surrounds.

The locality comprises predominantly one and two storey dwelling houses as well as St Stephens Belrose Kindergarten and Anglican Church directly adjoining the Site to the East. In our opinion, the proposed dual occupancy represents a high-quality, compatible design that will positively contribute to the streetscape and locality.

In our opinion, the attached dual occupancy by VD&D replacing the ageing dwelling represents a high-quality, compatible design that will positively contribute to the streetscape and locality. The proposal is below the building height limit and appropriately defines the street with a two-storey built form, compatible within the streetscape. It will be complemented by a high-quality landscape design which enhances the site appearance and provides privacy as well as visual amenities and reduces the perceived bulk.

As a compatible and elegant design solution for the site, the proposal will positively contribute to the character of Lockwood Avenue and the suburb of Frenchs Forest in general.

In addition, the proposal will not exhibit any significant environmental impacts and will not adversely impact on the amenity including solar, noise and views of any adjoining sites. Therefore, the proposal is considered compatible with the Site context.

5.2 SOIL AND WATER**5.2.1 Stormwater**

Stormwater Concept Plans been prepared in support of the proposed development and is submitted separately. The proposed stormwater system has been designed in accordance with the relevant national design guidelines, Australian Standard Codes of Practice, Northern Beaches Council and accepted engineering practice. Stormwater runoff will be from the roof gutters and downpipes via a gravity fed line into the existing stormwater system.

Refer to the Stormwater Concept Plans submitted separately for further details.

5.3 NOISE

The proposed development is not considered to result in any undue impacts in respect of acoustic amenity.

5.4 WASTE

A Waste Management Plan (WMP) has been prepared and submitted separately in support of the proposed development. Where practical and feasible, all construction materials will be recycled either onsite, through reuse, or offsite at a licenced facility. Waste would be transported and disposed of offsite by a licenced contractor to a licenced landfill facility.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

5.5 CONSTRUCTION

Construction will be undertaken in compliance with the conditions of consent set by Council. Suitable measures will be implemented to minimise potential construction impacts, including noise, odours, traffic disruptions, and erosion.

5.6 CUMULATIVE IMPACTS

No foreseeable cumulative impacts are anticipated from the proposed development. The development, which involves a dual occupancy in a residential area, is consistent with the intended land use for the Site, its R2 zoning, and the surrounding context.

5.7 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is situated within an established residential area and is zoned R2 Low Density Residential pursuant to the WLEP2011. The proposed development involves an attached dual occupancy, which aligns with the intended residential use of the site. It is consistent with the zoning provisions and is appropriately scaled, ensuring compatibility with the local character, streetscape, and surrounding environment.

Accordingly, it is concluded that the Site is suitable to accommodate the surrounding area.

5.8 SUBMISSIONS

Should any submissions be received in relation to the proposed development, the applicant will address them accordingly.

5.9 THE PUBLIC INTEREST

The proposed development is in the public interest as it:

- Supports the site's use for residential purposes within an established residential area, in line with the objectives of the R2 Low Density Residential zone;
- Does not result in any significant environmental or amenity impacts on neighboring properties or the public domain;
- Provides a land use that is complementary and compatible with the surrounding properties.

The proposal enhances the amenity of the local area, consistent with the aims and objectives of the WLEP2011 and WDCP2011. As such, the development is deemed to be in the public interest.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

PART 6 CONCLUSION

The purpose of this SEE has been to present the proposed demolition of existing structures and construction of an attached dual occupancy and strata subdivision at 10 Lockwood Avenue, Frenchs Forest and to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act.

This SEE evaluates the proposal against the applicable environmental planning framework, including the WLEP2011 and WDCP2011. The assessment concludes that the proposal aligns with the objectives and provisions of the relevant instruments and policies, with no significant adverse environmental, economic, or social impacts identified.

The proposed development has been designed with careful consideration of the following key factors including the development history of the Site; the context of the Site and locality; the relevant considerations under Section 4.15(1) of the EP&A Act; and the aims, objectives, and provisions of applicable statutory and non-statutory planning instruments.

The proposed development is deemed to merit a favourable determination for the following reasons:

- The proposal is permissible with development consent within the R2 zone;
- The proposal is consistent with the objectives of the R2 zone;
- The proposal is appropriate to the Site and surrounding locality;
- The proposal is a suitable and appropriate development which has been assessed against the relevant considerations under Section 4.15 of the EP&A Act;
- The proposal does not create any adverse amenity impacts on the surrounding sites; and
- General compliance is achieved with the relevant provisions and controls of the WLEP2011 and WDCP2011.

Given the merits of the proposal and the absence of significant environmental impact, the development is considered to be in the public interest and warrants support from Council.

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

Appendix 1 – WDCP2011 Compliance Table

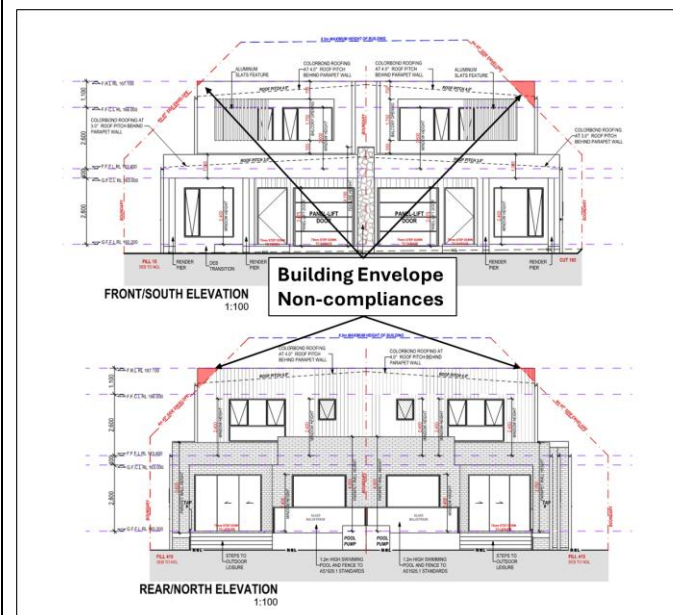
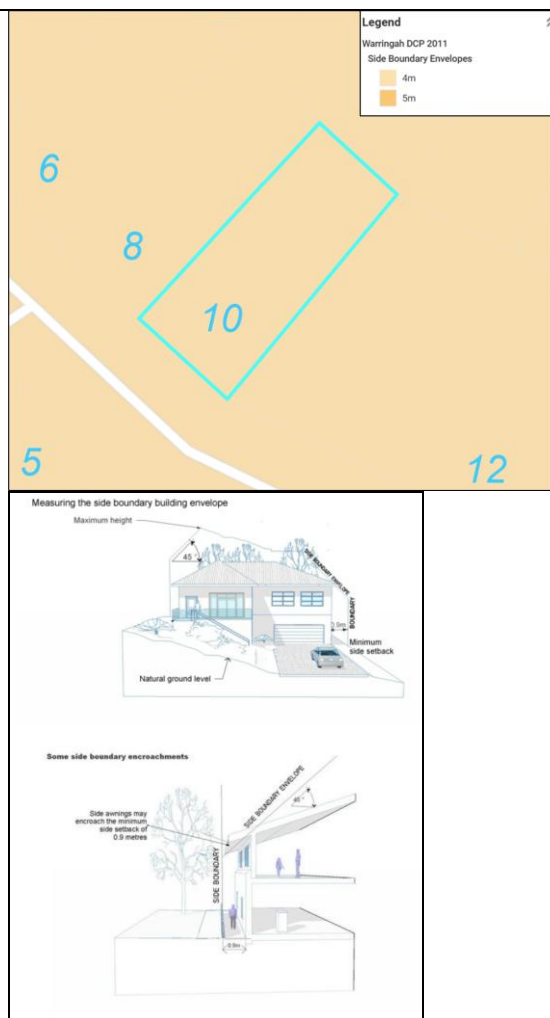
Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

WDPC2011 Compliance Assessment			
Standard	Detail	Comments	Compliance
Part B Built Form Controls			
B1 Wall Heights	<p>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).</p> <p>Exceptions This control may be varied on sites with slopes greater than 20% within the building footprint (measured at the base of the external walls), provided the building:</p> <ul style="list-style-type: none"> • does not exceed the 8.5 metre height development standard; • is designed and located to minimise bulk and scale; and • has a minimal visual impact when viewed from the downslope sides of the land. 	The proposed walls do not exceed 7.2m.	YES
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.	N/A
B3 Side Boundary Envelope	<p>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:</p> <ul style="list-style-type: none"> • 4 metres, or • 5 metres as identified on the map. 	The proposal comprises minor non-compliances to the building envelope control along the southern and northern facades as depicted below. It is important to note that the non-compliances are as a result of the parapets rather than the roof form.	YES on MERIT

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)



Notwithstanding the non-compliances, the proposal is consistent with the objectives of the control as outlined below.

To ensure that development does not become visually dominant by virtue of its height and bulk.

The proposal maintains a modest built form with a maximum height of 7.2m well below the 8.5m maximum building height development standard with an articulated façade and well-considered material variation to break up the overall massing. The encroachments beyond the envelope are limited to minor parapet projections and do not contribute to perceived bulk when viewed from the public domain or adjoining properties. The overall scale remains in keeping with the desired residential character

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

		<p>of the locality and is consistent with other developments in the surrounding area.</p> <p><i>To ensure adequate light, solar access and privacy by providing spatial separation between buildings.</i></p> <p>The development has been designed to maintain appropriate side setbacks consistent with the applicable WDCP2011 control as outlined below. Shadow diagrams demonstrate compliance with relevant solar access controls discussed in this table further below, with the proposed design ensuring no unreasonable overshadowing of adjoining properties. Privacy is preserved through window placement, the use of high sill or obscure glazing where appropriate, and the absence of any significant overlooking from habitable rooms or private open space.</p> <p><i>To ensure that development responds to the topography of the site.</i></p> <p>The Site is relatively flat, and the proposed development appropriately reflects this characteristic through a consistent finished floor level and building height across both dwellings. The design avoids unnecessary cut and fill, ensuring the development integrates with the existing ground level. The minor parapet encroachments are the result of achieving a clean, modern roof form and do not reflect any disregard for the Site's topography. Overall, the proposal is well suited to the natural conditions of the land.</p> <p>In summary, while the proposal presents minor encroachments to the prescribed building envelope control however does not result in any adverse visual, amenity, or environmental impacts. The design has been carefully considered to ensure it aligns with the objectives</p>	
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Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

		of the control, maintaining an appropriate scale and form, preserving solar access and privacy, and responding suitably to the flat topography of the Site. As such, the proposal represents a well resolved built form outcome that achieves the intended objectives and warrants support on this occasion.	
	<i>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.</i>	The Site is zoned R2 Low Density Residential.	N/A
B4 Site Coverage	<p><i>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:</i></p> <ul style="list-style-type: none"> <i>• 33.3% - the total building footprint(s) must not cover more than 33.3% of the site area, and</i> <i>• 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.</i> 	The Site is not coloured on the DCP Map Site Coverage.	N/A
B5 Side Boundary Setbacks	<i>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.</i>	The proposal comprises a side setback ranging from 0.932-1.328m.	YES


Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

			
	<p>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.</p>	<p>The proposal provides a combination of landscaping and permeable pavers. The proposal does not provide any above or below ground structures, car parking or site facilities within the side setbacks.</p>	<p>YES</p>
	<p>3. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, 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>	<p>The Site is zoned R2 Low Density Residential.</p>	<p>N/A</p>
	<p>Exceptions</p> <p>Land Zoned R2</p> <p>All development:</p> <ul style="list-style-type: none"> Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback 	<p>Noted.</p>	<p>Noted</p>


Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<p><i>Ancillary to a dwelling house:</i></p> <ul style="list-style-type: none"> <i>Consent may be granted to allow a single storey outbuilding, carport, pergola or the like that to a minor extent does not comply with the requirements of this clause</i> 		
B7 Boundary Setbacks	<p>Front</p> <p>1. Development is to maintain a minimum setback to road frontages.</p> 	<p>The proposal comprises a front setback of 6.5m.</p>	<p>YES</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, <u>garbage</u> storage areas and fences.</p>	<p>The proposed front setback is landscaped other than the proposed driveway. The proposed driveway does not occupy more than 50% of the area between the building and front boundary.</p>	<p>YES</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>		

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	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.	The Site is zoned R2 Low Density Residential.	N/A
B9 Rear Boundary Setbacks	1. Development is to maintain a minimum setback to rear boundaries. 	The proposal comprises a rear setback greater than 6m.	YES
	2. The rear setback area is to be landscaped and free of any above or below ground structures.	The rear 6m is fully landscaped.	YES
	3. On land zoned R3 Medium Density where there is a 6m rear boundary setback, above and below ground structures and private open space, including basement carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the rear building setback.	The Site is zoned R2 Low Density Residential.	N/A
	4. The rear building setback for land zoned IN2 Light	The Site is zoned R2 Low Density Residential.	N/A

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<i>Industrial at Tepko Road that adjoins land zoned R2 Low Density Residential is not to be used for industrial purposes or vehicle access.</i>		
	<i>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</i>	The Site is zoned R2 Low Density Residential.	N/A
Part C Siting Factors			
Part C Siting Factors	<p><i>1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</i></p> <p><i>To</i></p> <p><i>a) traffic</i></p> <p><i>b) vehicles queuing on public roads</i></p> <p><i>c) the number of vehicle crossings in a street;</i></p> <p><i>d) traffic, pedestrian and cyclist conflict;</i></p> <p><i>e) interference with public transport facilities; and</i></p> <p><i>f) the loss of "on street" kerbside parking.</i></p> <p><i>minimise:</i></p> <p><i>hazards;</i></p>	<p>The proposed development has been designed to ensure that vehicular and pedestrian access meets the relevant objectives and minimises potential impacts on the surrounding road network. The location of the shared driveway has been selected to provide safe and efficient access with adequate sightlines, thereby reducing the risk of traffic hazards and conflicts with pedestrians and cyclists.</p> <p>The access arrangement allows for the internal accommodation of vehicles, minimising the likelihood of vehicles queuing on the public road. Only a single vehicle crossing is proposed, which limits the number of driveway interruptions along the street frontage, thereby retaining as much street parking as possible.</p> <p>Overall, the access design supports safe and functional integration with the streetscape while preserving local traffic and parking amenity.</p>	YES
	<i>2. Vehicle access is to be obtained from minor streets and lanes where available and practical.</i>	The proposed vehicle access is from Lockwood Avenue.	YES
	<i>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.</i>	This can be adhered to as a condition of consent.	YES
	<i>5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</i>	This can be adhered to as a condition of consent.	YES

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

C3 Facilities	Parking	<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>The proposed development has been designed in accordance with the design principles relating to car parking and garage integration. Garage doors are architecturally integrated into the overall façade design, using complementary materials and finishes to minimise visual prominence and ensure a cohesive appearance.</p> <p>The garages are located within the building footprint and do not dominate the street frontage, preserving a strong relationship between the dwelling and the public domain.</p> <p>The design ensures that views of the street from front facing windows are maintained, promoting passive surveillance and enhancing street activation. The width of the garage openings does not exceed 6 metres or 50% of the building width, in compliance with the specified controls.</p> <p>While rear laneway access is not available in this context, the on-site parking arrangement has been sensitively designed to maintain streetscape character and visual amenity.</p>	YES
		<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>The proposal provides garage parking within the envelope of the proposed dwelling.</p>	YES
		<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</p>	<p>The proposal comprises two car parking spaces, one within the proposed garage and the other as a tandem parking space.</p>	YES

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<p><i>specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</i></p> <p><i>Dwelling house and dual occupancy</i></p> <p><i>2 spaces per dwelling, except for land known as Belrose Corridor (see Part G4) which has a maximum of 2 car spaces.</i></p>		
C4 Stormwater	<p><i>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.</i></p> <p><i>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</i></p>	Refer to stormwater plans for further details.	YES
C7 Excavation and Landfill	<p><i>1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</i></p>	The proposal does not seek consent for landfill.	N/A
	<p><i>2. Excavation and landfill works must not result in any adverse impact on adjoining land.</i></p>	A Geotechnical Report and Structural Plans will be prepared as part of a construction certificate and can be complied with as a condition of consent to ensure any excavation does not result in any adverse impact on adjoining land.	YES
	<p><i>3. Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</i></p>	This can be adhered to as a condition of consent.	YES
	<p><i>4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.</i></p>	An Erosion and Sediment Control Plan has been prepared and submitted separately.	YES
C8 Demolition and Construction	<p><i>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</i></p>	A WMP has been prepared and submitted separately in support of the proposed development. Where practical and feasible, all construction materials will be recycled	YES


Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<i>Development Applications must be accompanied by a Waste Management Plan.</i>	either onsite, through reuse, or offsite at a licenced facility. Waste would be transported and disposed of offsite by a licenced contractor to a licenced landfill facility.	
C9 Waste Management	<i>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.</i>		
Part D Design			
D1 Landscaped Open Space and Bushland Setting	<p><i>1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and <u>Bushland Setting</u>. To measure the area of landscaped open space:</i></p> <p><i>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;</i></p> <p><i>b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation;</i></p> <p><i>c) Landscaped open space must be at ground level (finished); and</i></p> <p><i>d) The minimum soil depth of land that can be included as landscaped open space is 1 metre.</i></p>	The proposal comprises 322.01m ² (41.4%) of landscaped area.	YES

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

											
	<p>2. Where land is shown on DCP Map Landscaped Open Space and <u>Bushland</u> Setting as "<u>Bushland</u> Setting", a minimum of 50% of the site area must remain undisturbed by development and is to be kept as natural <u>bushland</u> or landscaped with locally indigenous species.</p>	<p>The Site is not identified as "Bushland Setting" on the DCP Map Landscaped Open Space and Bushland Setting.</p>	<p>N/A</p>								
<p>D2 Private Open Space</p>	<p>1. Residential development is to include private open space for each dwelling.</p>	<p>The proposal includes private open space (POS) at the rear of each dwelling.</p>	<p>YES</p>								
	<p>2. The minimum area and dimensions of private open space are as follows:</p> <table border="1" data-bbox="414 1144 1072 1249"><thead><tr><th>DWELLING Type</th><th>Area and Minimum Dimensions per dwelling</th></tr></thead><tbody><tr><td>Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms</td><td>A total of 35m² with minimum dimensions of 3 metres</td></tr><tr><td>Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms</td><td>A total of 60m² with minimum dimensions of 5 metres</td></tr><tr><td>Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing</td><td>A total of 10m² with minimum dimensions of 2.5 metres</td></tr></tbody></table>	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	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>The proposal provides a minimum of 60m² of POS to each dwelling with a minimum dimension of 5m. This is depicted in the Architectural Plans submitted separately.</p>	<p>YES</p>
	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										
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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>The proposed POS is accessed directly from the family and dining rooms.</p>	<p>YES</p>									

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<i>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.</i>	The proposed POS is located on the ground floor at the rear of the Site ensuring privacy of the occupants of adjacent buildings and occupants of the proposed development.	YES
	<i>5. Private open space shall not be located in the primary front building setback.</i>	The proposed POS is located at the rear of each dwelling.	YES
	<i>6. Private open space is to be located to maximise solar access.</i>	The proposed POS are north east facing ensuring maximum solar access.	YES
D3 Noise	<i>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 <u>NSW Industrial Noise Policy</u> at the receiving boundary of residential and other noise sensitive land uses. See also NSW Industrial Noise Policy Appendices</i>	This can be adhered to as a condition of consent.	YES
	<i>2. Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.</i>	The proposal is not located near existing noise generating activities, such as industry and roads.	YES
	<i>3. <u>Waste</u> collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.</i>	The proposal is for dual occupancy and will utilize Council waste collection.	YES
	<i>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.</i>	The proposed development has been designed to optimise acoustic amenity through thoughtful internal layout. Noise sensitive rooms such as bedrooms (excluding the guest bedroom) are located on the first floor, away from potential ground level noise sources. Active spaces such as the kitchen, family room, and cinema room are located on the ground floor, effectively separating them from sleeping areas and minimising internal noise transfer. This arrangement ensures a high	YES
	<i>5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.</i>		

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

		level of acoustic comfort for future occupants.	
D6 Access to Sunlight	<i>1. Development should avoid unreasonable overshadowing any public open space.</i>	The Site is not located near public open spaces.	N/A
	<i>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.</i>	The proposed POS has a north eastern orientation ensuring compliant solar access. Further the POS of adjoining dwellings are also north east facing thus also receiving compliant solar access. Refer to shadow diagrams for further details.	YES
D7 Views	<i>1. Development shall provide for the reasonable sharing of views.</i>	The proposal comprises compliant front side and rear setbacks as well as compliant building height ensuring the proposal continues to provide reasonable view sharing.	YES
D8 Privacy	<i>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</i>	The building layout has been carefully designed to optimise privacy for both future occupants of the development and residents of adjoining properties. The placement of windows, balconies fronting Lockwood Avenue, and POS has been thoughtfully considered to minimise direct overlooking and maintain appropriate visual separation. First floor windows have been offset from neighbouring windows to ensure privacy.	YES
	<i>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</i>		
	<i>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.</i>		
	<i>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.</i>		
	<i>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.</i>		
D9 Building Bulk	<i>1. Side and rear setbacks are to be progressively increased as wall height increases.</i>	Noted.	Noted

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<i>2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</i>	The proposal comprises various openings, articulation and fenestrations to all elevations ensuring large areas of continuous wall planes are avoided.	YES
	<i>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: 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.</i>	The Site is not located on sloping land.	N/A
	<i>4. Building height and scale needs to relate to topography and site conditions.</i>	The proposal comprises a building height of 7.2m compliant the height of building development standard within the WLEP2011. The proposed development has been informed and prepared with regard to detailed opportunities and identified constraints through a comprehensive Site analysis.	YES
	<i>5. Orientate development to address the street.</i>	The proposal is orientated towards Lockwood Avenue.	YES
	<i>6. Use colour, materials and surface treatment to reduce building bulk.</i>	The proposed development incorporates a considered palette of colours, materials, and surface treatments to effectively reduce the perception of building bulk and enhance visual interest. Refer to Schedule of Colours and Finishes for further details.	YES
	<i>7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.</i>	Landscape plantings have been strategically incorporated into the design to soften the appearance of the built form and reduce the visual bulk of the development. Refer to Landscape Plan for further details.	YES
	<i>8. Articulate walls to reduce building mass.</i>	The proposed development employs wall articulation techniques to effectively reduce the perceived building mass and enhance architectural interest. This includes the use of varied setbacks, recessed elements, projecting	YES

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

		balconies, and vertical and horizontal breaks in the façade.	
D10 Building Colours and Materials	<i>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.</i>	The Site is not located within a highly visible area. Refer to the schedule of colours and finishes for further details.	YES
	<i>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.</i>	The Site is not located within or adjoining to or in close proximity to bushland areas, waterways or the beach.	N/A
	<i>3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.</i>	The proposal is not for alterations and additions to an existing structure.	N/A
	<i>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.</i>	The proposal is not for holiday/fisherman shack.	N/A
D11 Roofs	<i>1. Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.</i>	The proposal does not include lift overrun, plant or other mechanical equipment on the proposed roof.	N/A
	<i>2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.</i>	The roof design of the proposed development has been carefully considered to complement the prevailing roof forms and pitches of existing buildings within the streetscape.	YES
	<i>3. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.</i>	The proposal roof has been articulated with various elements including balconies within the front façade.	YES
	<i>4. Roofs shall incorporate eaves for shading.</i>	Eaves have been provided to the proposed roof.	YES

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

D15 Side and Rear Fences	<i>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.</i>	This can be adhered to as a condition of consent.	YES
	<i>2. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.</i>		
	<i>3. All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.</i>		
D16 Swimming Pools and Spa Pools	<i>1. Pools are not to be located in the front building setback.</i>	The proposed pools are located to the rear of the dwellings.	YES
	<i>2. Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.</i>	The Site only comprises a primary frontage.	N/A
	<i>3. Swimming pools and spas are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.</i>	This can be adhered to as a condition of consent.	YES
D22 Conservation of Energy and Water	<i>1. The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.</i>	The orientation, layout, and landscaping of the proposed development have been thoughtfully designed to maximise natural ventilation, daylight access, and solar energy efficiency. Dwellings are oriented to take advantage of northern light, with living areas and private open spaces positioned to receive optimal sunlight throughout the day. Window placement and internal layouts promote effective cross ventilation, enhancing indoor comfort and reducing reliance on mechanical cooling.	YES
	<i>2. Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar</i>	Refer to BASIX Certificate submitted separately.	YES

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	access to adjoining properties.		
	3. Buildings are to be designed to minimize energy and water consumption.		
	4. Landscape design is to assist in the conservation of energy and water.		
	5. Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks.	Refer to Stormwater Plan submitted separately.	YES
	6. All development must comply with Council's Water Management Policy.		
Part E The Natural Environment			
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:</p> <p>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>The proposal will adopt appropriate excavation and construction methodology during construction as outlined within a future Geotechnical Report.</p> <p>This can be adhered to as a condition of consent.</p>	YES

Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<p><i>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.</i></p> <p><i>ii) For land identified as being in Area B or Area D:</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>iii) For land identified as being in Area C or Area E:</i></p> <p><i>A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer/ engineering geologist, must be submitted with the development application.</i></p> <p><i>Also, a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be</i></p>		
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Statement of Environmental Effects

Proposed Demolition of Existing Structures and Construction of an Attached Dual Occupancy and Strata Subdivision
10 Lockwood Avenue, Frenchs Forest (Lot 14 DP 225454)

	<i>submitted with the development application.</i>		
	<i>iv) When a geotechnical report is required to be submitted, (determined in accordance with i) to iii) above), the report must include a <u>risk</u> assessment of landslip in relation to both property and life. The <u>risk</u> assessment must have regard to any guidelines published by the <u>Australian Geomechanics Society</u>.</i>		