

NORTHERN BEACHES COUNCIL

STATEMENT OF ENVIRONMENTAL EFFECTS

**DEVELOPMENT APPLICATION FOR DWELLING HOUSE AND ASSOCIATED
WORKS**

2 ORANA ROAD MONA VALE NSW 2103

Prepared by Platinum Planning Solutions

ABN: 48 623 623 997

E: contact@platinumplanning.com.au

W: www.platinumplanning.com.au

This document remains the property of Platinum Planning Solutions and has been prepared for the sole use of its intended recipient. Unauthorised use or reproduction of this document in any form whatsoever is prohibited. In preparing this document Platinum Planning Solutions has relied on information from external sources and does not take any responsibility for any incorrect or misleading information.



SITE DETAILS

Address	2 Orana Road Mona Vale NSW 2103
Lot/Section/Plan	29/E/DP6195
Local Authority	Northern Beaches Council
Local Environmental Plan	Pittwater Local Environmental Plan 2014
Development Control Plan	Pittwater 21 Development Control Plan
Zone	R2 Low Density Residential
Overlays	Local Aboriginal Land Council (Metropolitan), Regional Plan Boundary (Greater Sydney), Acid Sulfate Soils Map (Class 5), Height of Buildings Map (8.5m), Lot Size Map (700m ²), Greater Sydney Tree Canopy Cover 2019 (Canopy %), Greater Sydney Tree Canopy Cover 2022 (Canopy %)

DEVELOPMENT PROPOSAL DETAILS

Proposal Summary	Dwelling house and associated works
Assessment Controls	Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan 2014
Applicant	Metricon Homes Pty Ltd C/- Platinum Planning Solutions

REVISION DETAILS

Version	1.0
Prepared by	Logan White (B RTP)
Signed	
Date	14/12/2023
Reviewed by	Felipe Cunha (MSustEnviron&Planning)
Signed	
Date	14/12/2023

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Platinum Planning Solutions on behalf of Metricon Homes Pty Ltd (the applicant) to accompany a development application to Northern Beaches Council over land located at 2 Orana Road Mona Vale (the subject site).

The development application seeks development consent for a dwelling house and associated works as per the attached plans package. This SEE provides the following:

- A description of the subject site and surrounding development;
- Detailed description of the proposed development;
- Assessment of the proposed development in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979;
- Assessment of planning considerations related to the proposed development.

The proposal is seen to be a desirable outcome for the subject site and will not impact on the amenity of the surrounding area. This Statement of Environmental Effects is to be read in conjunction with the attached plans and supporting documents.

2.0 SITE DESCRIPTION AND CONTEXT

2.1 Subject Site

The subject site is located at 2 Orana Road Mona Vale and is formally described as Lot 29 (Section E) on DP6195. The subject site has an overall area of approximately 935.8m² and is currently improved by an existing residential dwelling and detached garage, which are both proposed to be demolished within a separate application. The site has a primary frontage to Orana Road of approximately 15.24m, with vehicular access proposed to the site via driveway and crossover to the primary frontage. The site is part of an existing residential area with an array of residential properties on large lots ranging between single and double storey dwellings. The location and aerial context of the subject site is indicated below in Figures 1 and 2.



Figure 1: Subject Site Location



Figure 2: Subject Site Aerial Context

3.0 PROPOSED DEVELOPMENT

The proposed development is for a highly articulated double storey dwelling house and associated ancillary works as per the attached plans package. The proposed dwelling is similar in nature to the existing dwellings along Orana Road and the proposal is seen as a good outcome to the streetscape. The proposed dwelling incorporates various elements conducive to a dwelling house such as bedrooms, bathrooms and living areas, a kitchen and double lockup garage, with an integrated design that will add to the quality of this locality. Please refer to the attached plans for further details on the proposed dwelling house.



Figure 3: Front Elevation of Proposed Dwelling House

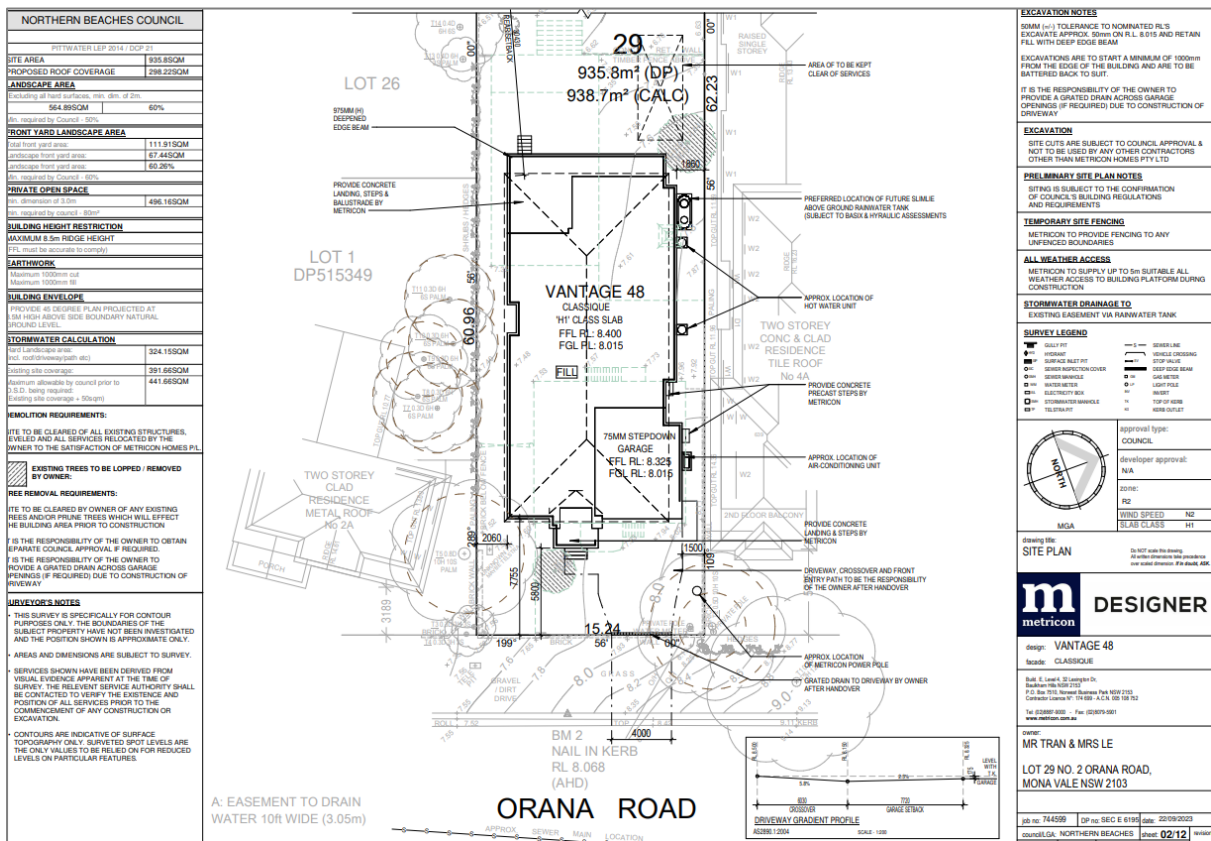


Figure 4: Proposed Site Plan

4.0 TOWN PLANNING ASSESSMENT

4.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (the Act) is the statutory planning instrument in New South Wales in which Council must use to assess development applications. In determining a development application, Council must take into consideration the following matters under Section 4.15 of the Act:

- a. *the provisions of:*
 - i. *any environmental planning instrument, and*
 - ii. *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - iii. *any development control plan, and*
 - iv. *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
 - v. *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - vi. *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- b. *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. *the suitability of the site for the development,*
- d. *any submissions made in accordance with this Act or the regulations,*
- e. *the public interest.*

This Statement of Environmental Effects addresses the relevant provisions of the following planning instruments:

- Pittwater Local Environmental Plan 2014
- Pittwater 21 Development Control Plan

A detailed Section 4.15 assessment is provided as part of this overall Statement of Environmental Effects and in Section 4.4 of this report.

4.2 Pittwater Local Environmental Plan 2014

The Pittwater Local Environmental Plan 2014 (LEP) is the principle local planning instrument that applies to the site.

4.2.1 Zoning & permissibility

The subject site is zoned as R2 Low Density Residential under the LEP. The objectives of the zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity scale, compatible with surrounding land uses.*

The proposed dwelling house is permissible with consent in the zone. The site is located within a residential area which is designed for proposals of this nature. The site has access to the appropriate services required and is accessible from the existing road network. The proposed dwelling house is seen to be in line with the existing streetscape and surrounding built form and to meet the prescribed intent of the zone. Therefore, the proposal it is seen as a desirable outcome for the subject site and will not adversely affect the amenity of the surrounding area.

4.2.2 Height of buildings (Clause 4.3)

The proposed dwelling house has a building height of 8.88m which does not comply with the 8.5m maximum height set out in Clause 4.3 of the LEP. It is to be noted that the site is within the flood planning area and therefore Floor Levels have been raised to reduce flood impact. For further details, please refer to the Clause 4.6 Variation Request provided and attached to this application.

4.2.3 Floor space ratio (Clause 4.4)

No floor space ratio is prescribed for the subject site, therefore Clause 4.4 is not applicable.

4.2.4 Architectural roof features (Clause 5.6)

Architectural roof features requirements were not adopted under the LEP, therefore Clause 5.6 is not applicable.

4.2.5 Heritage conservation (Clause 5.10)

The site is not identified as a heritage item, and is not located within a heritage conservation area, therefore Clause 5.10 of the LEP is not applicable.

4.2.6 Flood planning (Clause 5.21) and Special flood considerations (Clause 5.22)

The subject site is identified as being affected by flooding. Please refer to attached Flood Report for details on compliance with Clauses 5.21 and 5.22 of the LEP.

4.2.7 Acid sulfate soils (Clause 7.1)

The subject site is affected by Class 5 acid sulfate soils as identified within the Section 10.7 Certificate, however the proposed development is not considered to lower the water table to below 1m AHD, therefore complying with Clause 7.1 of the LEP.

4.2.8 Earthworks (Clause 7.2)

There is a small amount of cut and fill proposed with the proposed earthworks not having a detrimental impact on the surrounding land. Appropriate measures will be put in place to ensure there will be no negative impacts. The proposed earthworks therefore comply with Clause 7.5 of the LEP.

4.2.9 Coastal risk planning (Clause 7.5)

The subject site is not identified as coastal risk planning area, therefore Clause 7.5 of the LEP is not applicable.

4.2.10 Biodiversity (Clause 7.6)

The subject site is not identified as containing biodiversity values under the Pittwater Biodiversity Map of NSW Spatial Viewer Overlays, therefore Clause 7.6 of the LEP is not applicable.

4.2.11 Geotechnical hazards (Clause 7.7)

The subject site is not identified as being part of a geotechnical hazard area, therefore Clause 7.7 of the LEP is not applicable.

4.2.12 Essential services (Clause 7.10)

The site has access to public utility infrastructure, therefore complies with Clause 7.10 of the LEP.

4.3 Pittwater 21 Development Control Plan

The Pittwater 21 Development Control Plan (DCP) is the planning instrument that provides comprehensive development controls for the local area. The relevant matters to be considered under the DCP for the proposed development are outlined below.

4.3.1 Section B – General Controls

Control / Objective	Compliance	Comments
<i>General Controls</i>		
B1 Heritage Controls	Complies	The site is not identified as a heritage item, and is not located within a heritage conservation area, therefore complies with Section B1 of the DCP.
B2 Density Controls	Complies	Subdivision not proposed. Medium density housing is not proposed. Shop top housing not proposed.
B3 Hazard Controls	Complies	<p>Site not identified in the Geotechnical Hazard Map.</p> <p>The subject site is identified as containing bushfire prone land (Vegetation Buffer and Vegetation Category 1). Please refer to attached Bushfire Report for further details.</p> <p>The site is affected by Coastal Risk Planning Map and is not within a foreshore area.</p> <p>The site is not identified as being affected by land contamination.</p> <p>The site is not identified in the Estuarine Hazard Map.</p> <p>The site is identified as being within the Low Flood Risk and Medium Flood Risk Planning Precincts. Please refer to attached Flood Report for further details.</p> <p>The site is not within the Beach Management Area or in the Warriewood Valley Land Release Area.</p>
B4 Controls Relating to the Natural Environment	Complies	The proposed development is responsive to the environmental values of the site by adopting a building platform in a similar location to the existing building in order to ensure that the proposal avoids most of the existing vegetation and avoids unnecessary and excessive earthworks. However, it

Control / Objective	Compliance	Comments
		<p>is to be noted that tree removal is proposed to be removed in order to establish the proposed development. Please see attached material for further information. Native fauna and flora is not expected to be affected by the proposed development. In addition, no significant impact on the natural environment, wildlife corridors, habitats and other environmental features will be caused by the proposed dwelling house. Therefore, the proposed dwelling is seen to comply with Clause B4 of the DCP. Please refer to the material attached to this DA for further information.</p>
B5 Water Management	Complies	<p>The subject site is provided with the appropriately sized rainwater tank as per section B5. The existing infrastructure for the house includes a stormwater management system that was installed and is maintained in accordance with Council's Water Management for Development Policy. Please refer to the material attached to this development application for further details.</p>
B6 Access and Parking	Complies with intent – variations requested	<p>The proposed dwelling house will be able to accommodate at least 2 cars to be parked off street in a double lockup garage, which connects to the street via a new driveway and vehicular crossover on the right hand side of the allotment.</p> <p>The visual dominance of the existing driveway and garage is minimised by adopting front yard landscaping, the magnitude of the dwelling's built form and the use of paving materials in natural tones. The proposed driveway tapers down in width from approx. 5m at the garage / portico area to approx. 4m at the kerb. The proposed driveway width at the kerb does not comply with the 3m requirement, however it is to be noted that the driveway also acts as a pedestrian pathway from the street to the front door, and the additional driveway width will allow simultaneous pedestrian and vehicle movement on the single paved surface while reducing the potential for collisions between pedestrians and vehicle users on the lot. It is asserted that the proposed driveway and garage does will visually dominate the front yard or the front façade and should still be supported as it is a technical non-compliance that will not contribute to any adverse impacts upon the amenity or streetscape character within the locality.</p>

Control / Objective	Compliance	Comments
		<p>Additionally, the driveway will be made of neutral materials and has a tapered angle which reduces the width from the garage door to the boundary. The proposed dwelling house provides 2 covered car parking spaces on its appropriately sized double lock-up garage, which is setback behind the front alignment of the ground floor. Additionally, the proposed dwelling house integrates its double garage together within its design, and the façade elements are consistent with the design of the dwelling in terms of height, form, materials and external surfaces that help to blend and integrate these structures among each other and with the natural environment. The proposed garage has a 4.81m wide door opening which provides appropriate access to and from the garage.</p> <p>The internal dimensions of the garage are 5.63m wide and 6.195m long, which technically does not comply with the minimum internal dimension requirements of 5.7m (W) x 6m (D) as the internal width is 70mm less than the minimum requirement. It is asserted that the proposed width is a minor technical non-compliance that is not noticeable and will not cause any reduced or amenity and will not make any noticeable difference to the space provided for a car to park. It is asserted that the technical non-compliance to the minimum internal width requirement is so minor that the non-compliance is considered negligible and should therefore be supported by Council. Please refer to attached plans package for further details.</p>
B8 Site Works Management	Complies	<p>The proposed dwelling requires a small amount of cut and fill (50mm cut / ~590mm fill within a 975mm high DEB) to establish the proposed dwelling house and associated structures. Appropriate measures will be put in place to ensure there will be no negative impacts on the environmental values of the site or the neighbouring properties. Appropriate erosion and sedimentation controls will be in place which can be conditioned on the DA as considered appropriate. Additionally, waste will be managed appropriately as per the Waste Management Plan provided with the application, and compliance with the appropriate waste management procedures and requirements can be conditioned on the DA as considered appropriate.</p>

4.3.2 Section C – Development Type Controls

4.3.2.1 Section C1 – Design Criteria for Residential Development

Control / Objective	Compliance	Comments
C1.1 Landscaping	Complies	The proposed landscaped area of the dwelling house is 60% (564.89m ²) which complies with the minimum requirement of 50% (467.9m ²) identified in D9.10 of the DCP. The site will use appropriate soil depth for landscaping. Approximately 60.26% of the area in front of the building line is proposed to be landscaped, which complies with the minimum requirement of 60%. On-site screening is proposed to be comprised of vegetation. No noxious or undesirable plants will be kept on-site or planted during development. Landscaping will not unreasonably obstruct driver and pedestrian visibility. Appropriate planting will be incorporated on site, please refer to the material attached to this documentation for further details.
C1.2 Safety and Security	Complies	The proposed dwelling house and associated works addresses the required and applicable CPTED principles (surveillance, access control, territorial reinforcement and space management).
C1.3 View Sharing	Complies	The proposed dwelling house is considered appropriate noting the size of the allotment and intended character of the area, with the appropriate views able to be maintained. It is therefore asserted that view sharing will not be impacted by the proposed dwelling house.
C1.4 Solar Access	Complies	The proposed dwelling house is designed in such a way that allows solar access to habitable areas, recreational space and private open spaces on the site and on neighbouring sites. In addition, the proposal will not unnecessarily negatively impact on solar access to the adjoining dwelling due to distance from the adjoining dwelling and site orientation. The proposal will not impact on minimum hours of direct solar access to adjoining properties living areas presented by the DCP. Please refer to the material attached to this DA for further details.
C1.5 Visual Privacy	Complies	The proposal will not have any adverse visual impacts dwelling has been designed to achieve great visual privacy for adjoining dwellings. Direct views from the upper level of the dwelling are minimised to prevent overlooking to the common areas or private open space of any adjoining dwelling houses by adopting small windows, a window with increased sill height, oppositely

Control / Objective	Compliance	Comments
		alternating proposed window locations in relation to adjoining dwellings windows and open spaces. Additionally, obscure glazing, screening and other architectural solutions will be in place to ensure visual privacy, which can be further conditioned to the DA as considered appropriate.
C1.6 Acoustic Privacy	Complies	The proposed dwelling house will not have any adverse acoustic impacts and the dwelling has been designed to minimise acoustic impacts on adjoining dwellings.
C1.7 Private Open Space	Complies	The proposal incorporates a principal private open space complies with the 16m ² requirement, is screened by vegetation, oriented to the north-east (and accessible from the main living area) with a minimum dimension of 4m, is to be provided at the rear of the dwelling and it will not have a grade steeper than 1 in 20. Additionally, the proposal poses a total private open space exceeding 80m ² at ground level, with no dimension less than 3 metres. In addition, no more than 75% of this private open space is to be provided in the front yard. Furthermore, a minimum principal area of 16m ² of private open space, Clothes drying facilities and composting facilities are included within the ground-level private open space area.
C1.8 Dual Occupancy Specific Controls	N/A	Not a dual occupancy.
C1.9 Adaptable Housing and Accessibility	N/A	Not applicable for the proposed private dwelling house.
C1.10 Building Facades	N/A	Not applicable for the proposed dwelling house.
C1.11 Secondary Dwellings and Rural Worker's Dwellings	N/A	The proposal does not involve any secondary dwellings or rural workers' accommodation.
C1.12 Waste and Recycling Facilities	Complies	Waste will be managed appropriately and compliance with the appropriate waste management procedures and requirements can be conditioned on the DA as considered appropriate.
C1.13 Pollution Control	Complies	The proposed dwelling house will not adversely impact on public health, the environment or other lands.
C1.14 Separately Accessible Structures	N/A	No separately accessible structures are proposed as part of this DA.
C1.15 Storage Facilities	N/A	Not applicable for the proposed dwelling house.
C1.16 Development ancillary to residential accommodation - Tennis Courts	N/A	Not applicable for the proposed dwelling house.
C1.17 Swimming Pool Safety	N/A	Not applicable for the proposed dwelling house.

Control / Objective	Compliance	Comments
C1.18 Car/Vehicle/Boat Wash Bays	N/A	Not applicable for the proposed dwelling house.
C1.19 Incline Passenger Lifts and Stairways	N/A	Not applicable for the proposed dwelling house.
C1.20 Undergrounding of Utility Services	N/A	Not applicable for the proposed dwelling house.
C1.21 Seniors Housing	N/A	Not applicable for the proposed dwelling house.
C1.23 Eaves	Complies with intent	Proposed dwelling eaves are to be 310mm wide on the side elevations which does not comply with the minimum of 450mm in width specified by the DCP. Although the proposal does not comply with numerical requirement, it is asserted that appropriate solar access and shading is provided to the development and therefore warrants favourable consideration. Alternatively, 450mm eaves can be conditioned to the DA if deemed a requirement.
C1.24 Public Road Reserve - Landscaping and Infrastructure	Complies	No trees are proposed to be removed in the public road reserve.
C1.25 Plant, Equipment Boxes and Lift Over-Run	Complies	Plant and equipment boxes, air conditioning units and other equipment units are integrated into the design of the dwelling house. The location of air conditioning unit is indicated on the set of architectural plans.

4.3.3 Locality Specific Development Controls (Section D)

4.3.3.1 Mona Vale Locality (Section D9)

Control / Objective	Compliance	Comments
D9.1 Character as viewed from a public place	Complies with intent	The surrounding streetscape is deemed to consist of relatively straight roads of varying widths, responding to the natural terrain of this established area. Orana Road is comprised of R2 zoning and incorporates a variety of contemporary, modern, traditional and dated architectural styles interspersed on a range of (mostly) rectangular allotments, with a built form with setbacks ranging between 3m-8m from their front boundaries. Roofs are generally pitched with a few flat roofs present. The small scale of front fences in many streets contributes to a suburban sense of housing sited in a residential setting. The character of the area is of generally one-two storey residential, which use predominantly masonry or natural stone materials, with a balanced composition between vegetation and greenspaces and the built form present in the design of residential dwellings. In order to preserve character of Orana Road, the proposal ensures that the new development responds to, reinforces and

Control / Objective	Compliance	Comments
		<p>sensitively relates to the surrounding spatial characteristics of the existing built and natural environment. The proposed development will include landscaping and vegetation that integrates with built form screen the visual impact of the built form and enhance the district. The proposal is highly articulated and will not have any negative visual impacts on the surrounding area or adjoining dwellings as the proposed siting and design of the dwelling house and associated works is seen to be compatible with the built form of the surrounding area. The proposal includes high quality design elements such as roof forms, textures, materials, window arrangement, spatial separation and landscaping. The frontage building façade includes an entry portico and awnings over windows. The two-car garage is in line with the building line (with the garage door slightly behind) and is 5.63m wide with a garage door opening width of 4.81m. Telecommunications equipment is minimised and screened from public view, general services are located underground, all electrical cabling is concealed and no conduit or sanitary plumbing is located on a façade or visible from public space. The proposed dwelling house is considered appropriate noting the size of the allotment and intended character of the area, with the appropriate amenity able to be maintained.</p>
<p>D9.2 Scenic protection - General</p>	<p>Complies</p>	<p>The proposed dwelling house is considered appropriate noting the size of the allotment and intended character of the area, with the appropriate amenity able to be maintained. It is asserted that the proposed dwelling house will not significantly protrude above adjacent buildings and does not visually break the level of the skyline. Additionally, the proposed dwelling addresses the street frontage, incorporates a design that is responsive to the streetscape, does not result in a visually prominent built form, and incorporates external surfaces that help blend structures into the natural environment. The proposed dwelling is to be two storeys in height and well recessed from the street frontage, similarly to some existing dwelling houses on the same side of the subject street frontage. Additionally, the proposed dwelling has been designed to embrace the site topography and to match the existing bulk and scale of dwelling houses in the proximity. The development minimises visual impact on the natural environment when viewed</p>

Control / Objective	Compliance	Comments
		from the road reserve. The native vegetation is proposed to be kept as much as practicable, only proposing to be cleared the vegetation that is required to establish the proposed dwelling house with complementary landscaping to be provided (please refer to the material attached to this application).
D9.3 Building colours and materials	Complies.	The proposal utilises an appropriate colour pallet which complies with the DCP requirements. Please refer to the material attached to this documentation for further details.
D9.6 Front building line	Complies with intent – variation requested	The proposed front setback of the dwelling house is approximately 5.8m to the main building line, which complies with intent regarding the 6.5m front setback as per DCP requirements. Additionally, the two adjoining properties have an approximate average setback of 4.46m and therefore the proposed front setback is recessed approximately 1.3m if compared to the average setbacks of the adjoining dwellings on either side of the allotment. It is asserted that this proposed technical 0.7m encroachment will not cause any loss of privacy and amenity and will not cause any material detriment to adjoining land-owners and streetscape. Moreover, the proposed setback encroachment will be screened by the front vegetation, which is to be kept in situ, and is seen to be in line with the streetscape character of the locality. Therefore, the proposed variation to the frontage alignment is deemed to be appropriate in this instance and should be supported as it is a technical non-compliance (calculated to be 0.7m), where the proposal will still sit well within the locality and provide a built form, scale and bulk that is compatible with existing dwellings in the surrounding vicinity, and streetscape. Due to the reduced setbacks of adjoining dwellings and the vegetation screening on the lot frontage, it is asserted that the proposed frontage setback encroachment will not adversely impact on the amenity of the streetscape, will not increase building dominance and bulk, it is in line with the existing built form of the locality and therefore should be supported.
D9.7 Side and rear building line	Complies with intent – variation requested	The proposed dwelling is setback from the side boundaries by 2.06m and 1.5m, which technically does not comply with the minimum 2.5m requirement for one side of the allotment. While the proposal does not include the 2.5m setback for one side, the combined side setback distance (2.06m +

Control / Objective	Compliance	Comments
		<p>1.5m) provided is greater than the combined side setback requirement (2.5m + 1m) and provides a more central location on the site for the dwelling house. The proposed side setbacks maintain more equitable preservation of views and vistas on each side of the dwelling, as the slightly reduced setbacks on the left hand side does not obstruct key sightlines or impede visual connections within the locality, while the increased setback on the other side allows for increased visual connections from the road looking down the right hand side of the dwelling. The development respects the existing visual corridors and ensures a balanced relationship between private and public spaces. The design incorporates setbacks that allow for strategic landscaping on both sides of the allotment, enhancing the overall visual amenity and contributing positively to the surrounding environment. Additionally, proposed setbacks maintain a reasonable level of privacy, amenity, and solar access for both the proposed development and neighbouring residential properties. Furthermore, the setbacks support the goal of view sharing through complimentary siting of buildings, responsive design, and well-positioned landscaping. The design incorporates setbacks that allow for strategic landscaping, enhancing the overall visual amenity and contributing positively to the surrounding environment. It is for the above reasons that the proposal warrants favourable consideration from Council.</p> <p>The proposed development has a rear setback of 30.43m which complies with the rear setback requirement of 6.5m.</p>
D9.9 Building envelope	Complies	<p>The proposed dwelling house is mostly located within the building envelope plane presented on Section D9.9 of the DCP. It is to be noted that there is a portion of the upper-floor component which extends beyond the building envelope plane on both sides (mostly eaves). However, the site topography also limits the building height plane of 45 degrees, resulting in non-compliant parts of the structure. It is asserted that the non-compliant sections of the building and the proposed non-compliant elements of the building will not result in additional or adverse amenity / privacy impacts on adjoining dwellings. Noting the topography of the site, the distance from adjoining dwellings, existing vegetation screening and modern design of the dwelling house roof, the</p>

Control / Objective	Compliance	Comments
		variation is therefore considered appropriate for the subject site. Based on the above, it can be determined that there are sufficient environmental planning grounds to justify the exception to the building envelope plane as per DCP requirements. Accordingly, Council's agreement is sought to the proposed variation in regards to the small portion of the building which is proposed to be extended beyond the applicable building envelope plane.
D9.10 Landscaped Area - General	Complies	The proposed landscaped area of the dwelling house is 60% which complies with the minimum 50% of the site. Appropriate planting will be incorporated on site, please refer to the material attached to this documentation for further details.
D9.11 Landscaped Area – Environmentally Sensitive Land	N/A	The subject site is not identified as being within area 1 or 2 of the landscape area map and therefore section D9.11 is not applicable.
D9.12 Fences - General	Complies	The future fencing of the site is to maintain the streetscape character and is to be consistent with the established pattern of fences in the surrounding area. The fencing will allow for casual surveillance and incorporate the applicable CPTED principles, with the fencing being compatible with the surrounding developments.
D9.13 Fences – Flora and Fauna Conservation Areas	N/A	The subject site is not identified as being within a flora and fauna conservation category 1 or 2 and therefore section D9.13 is not applicable.
D9.14 Construction, Retaining walls, terracing and undercroft area.	Complies	The proposal does not include retaining walls or terracing. Cut of 50mm and fill of 590mm proposed and designed in a way that minimises adverse impacts that could be caused by the proposal.
D9.15 Scenic Protection Category One Areas	Complies	The subject site is not identified as being within the scenic protection – category 1 area and therefore section D9.15 is not applicable.

4.4 Section 4.15 Assessment

In determining a development application, the consent authority must take into consideration a number of matters under Section 4.15 of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table:

Evaluation	Assessment
In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application: a) the provisions of:	a) The proposal aligns with the relative matters of the LEP and DCP as per the compliance

Evaluation	Assessment
<p>(i) any environmental planning instrument, and</p> <p>(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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</p> <p>(iii) any development control plan, and</p> <p>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</p> <p>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</p> <p>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,</p> <p>b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p> <p>c) the suitability of the site for the development,</p>	<p>assessment in this Statement of Environmental Effects. The proposal is seen to generally satisfy the objectives of the relative planning controls and is seen as a desirable outcome for the subject site.</p> <p>b) The proposal will not have any negative impacts on any surrounding dwellings as the proposed siting and design of the dwelling house and associated works is seen to be a desirable outcome. Appropriate sedimentation, waste management and noise controls will be in place which can be conditioned on the DA as considered appropriate. The proposal will not adversely impact any significant environmental aspects of the surrounding area and is seen as a desirable outcome from an economic and social perspective as part of on-going investment and development.</p> <p>c) The site is located within a residential area which is designed for proposals of this nature. The site has access to the appropriate services required and is accessible from the existing road network. The proposal has been designed to suite the site constraints and is seen to meet the objectives of the relevant planning controls.</p>

Evaluation	Assessment
<p>d) any submissions made in accordance with this Act or the regulations,</p> <p>e) the public interest.</p>	<p>d) As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable Council will assess these accordingly.</p> <p>e) The proposal is in the public interest as it satisfies the objectives of the relevant planning controls.</p>

4.5 Other Considerations

4.5.1 Amenity

The proposal will not have any negative amenity impacts on the surrounding area or adjoining dwellings as the proposed siting and design of the dwelling house and associated works is seen to be compatible with the built form of the surrounding area in terms of height, bulk and scale.

4.5.2 Sedimentation Control

Appropriate sedimentation controls will be in place which can be conditioned on the DA as considered appropriate.

4.5.3 Noise and Vibration

The proposal is not expected to cause any adverse acoustic impacts and compliance with the acoustic requirements of the DCP and any other relevant acoustic requirements and construction hours can be conditioned on the DA as considered appropriate.

4.5.4 Landscaping

The proposal incorporates landscaping to the subject site and is seen as a desirable outcome.

4.5.5 Social and Environmental Impact

The proposal will not adversely impact any significant environmental aspects of the surrounding area and is seen to be a desirable outcome from an economic and social perspective as part of on-going investment and development.

4.5.6 Waste Management

Waste will be managed appropriately as per the Waste Management Plan provided with the application, and compliance with the appropriate waste management procedures and requirements can be conditioned on the DA as considered appropriate.

4.5.7 BCA Compliance

The proposed works will be capable of complying with the BCA which will be part of a detailed assessment prior to the issue of a Construction Certificate and can be conditioned on the DA as considered appropriate.

5.0 CONCLUSION

This Statement of Environmental Effects has reviewed the proposed dwelling house and associated works to the subject site. It is considered that the proposed works, which are permissible with consent, are appropriate for the subject site. The proposal is not expected to have any adverse impacts on the surrounding natural or built environment. Ultimately the proposal complies with the intent and design objectives of the relevant planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposed development should receive full development consent subject to reasonable and relevant conditions.