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# **NORTHERN BEACHES COUNCIL**

## STATEMENT OF ENVIRONMENTAL EFFECTS

# DEVELOPMENT APPLICATION FOR DWELLING HOUSE AND ASSOCIATED WORKS

# 39 JEANETTE AVENUE MONA VALE NSW 2103

**Prepared by Platinum Planning Solutions** 

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**Overlays** 

## **Platinum Planning Solutions**

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SITE DETAILS

Address 39 Jeanette Avenue Mona Vale NSW 2103

Lot/Section/Plan 24/-/DP242678

Local Authority Northern Beaches Council

Local Environmental Plan Pittwater Local Environmental Plan 2014

**Development Control Plan** Pittwater 21 Development Control Plan 2014

**Zone** R2 - Low Density Residential

Regional Plan Boundary (Greater Sydney), Minimum Lot Size

(700m²), Local Aboriginal Land Council (Metropolitan), Height of

Building (8.5m), Acid Sulfate Soils (Class 5)

**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

**REVISION DETAILS** 

Version 1.0

Prepared by Alec Duck

Signed Alu Duk

**Date** 27/01/2022

Reviewed by James Connolly (BUrbanEnvPlan, GCHM, MPIA)

Signed Signed

Date 27/01/2022



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## **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 39 Jeanette Avenue 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.

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## **2.0 SITE DESCRIPTION AND CONTEXT**

#### 2.1 Subject Site

The subject site is located at 39 Jeanette Avenue Mona Vale and is formally described as Lot 24 on DP242678. The subject site has an overall area of approximately 698m² and is currently improved by an existing residential dwelling which is proposed to be demolished as part of a separate application. The site has a primary frontage to Jeanette Avenue of approximately 18.75m, with vehicular access proposed to the site via the existing crossover and driveway on the right hand side of the allotment. The site is part of an existing residential area with an array of properties ranging between single and double storey dwellings. The location of the subject site is indicated below in Figures 1 and 2.

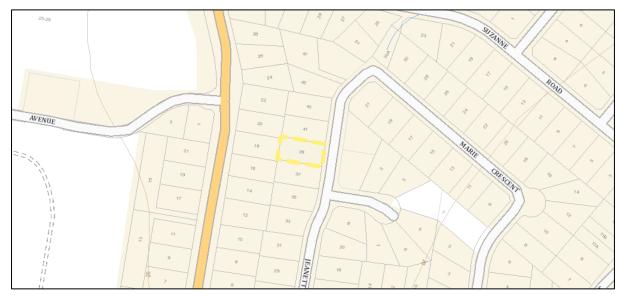


Figure 1: Subject Site Location



Figure 2: Subject Site Location

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## 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 Berry Avenue and will not detract from the amenity of the streetscape. The proposed dwelling incorporates various elements conductive to a dwelling house such as bedrooms, bathrooms and living areas, a kitchen and double lockup garage. Please refer to the attached plans for further details on the proposed dwelling house.

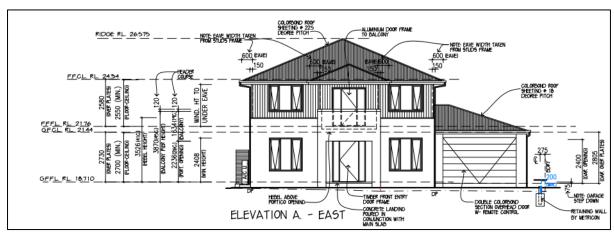


Figure 3: Illustration of front elevation of proposed dwelling house.

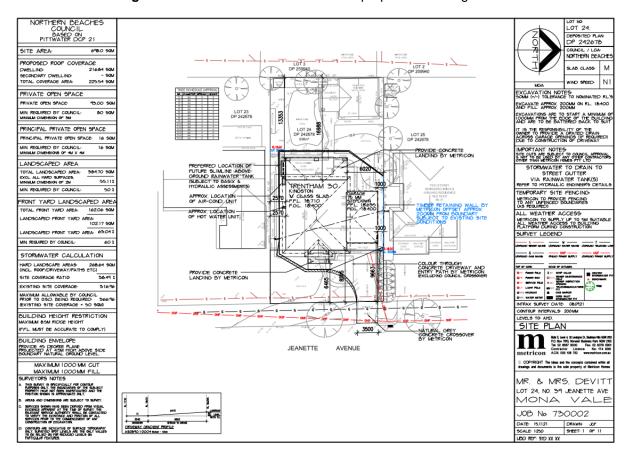


Figure 4: Siting Plan

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## **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 2014

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 and scale, compatible with surrounding land uses.



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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 8.155m which complies with the 8.5m maximum height set out in Clause 4.3 of the LEP.

## 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 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 therefore complying with Clause 7.1 of the LEP.

#### 4.2.7 Earthworks (Clause 7.2)

There is a small amount of cut and fill (200mm for each) proposed for the dwelling to suite the subject site. The proposed earthworks therefore comply with Clause 7.2 of the LEP.

## 4.2.8 Flood planning (Clause 7.3)

The subject site is identified as being within a flood planning area and has been designed accordingly to the flood related development controls and is seen to comply with Clause 7.3 of the LEP. Please refer to the attached supporting material for further information.

## 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)

Native fauna and flora will not be adversely affected by the proposed development and the subject site is not identified as being within the biodiversity map, 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.

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## 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 2014

The Pittwater 21 Development Control Plan 2014 (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 General Controls (Part B)

Control / Objective	Compliance	Comments
	Gene	ral Controls
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	This site is not identified as being impacted by landslip hazard, bushfire hazard, coastline hazard (beach/bluff), potential or actual land contamination, estuarine hazard, or sea level rise. The subject site is flood affected, however the proposed dwelling house has been designed to respond to the flood related development controls. Please refer to attached supporting documentation for further information.
B4 Controls Relating to the Natural Environment	Complies	There are not trees proposed to be removed during the development. Please see Arborist report for further information. Native fauna and flora is not expected to be significantly 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.
B5 Water Management	Complies	The subject site is provided with the appropriate 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 detail.
B6 Access and Parking	Complies	The proposed dwelling house will be able to accommodate 2 cars to be parked off street, which connects to the street with a single driveway that is 3.5m wide at the boundary and the kerb. Due to the 18.75m width of the lot, a 3.5m wide driveway (at the



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Control / Objective	Compliance	Comments
		boundary) will not dominate the site frontage. 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 recessed from the front alignment of the ground floor by approximately 1.835m. 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 4.035m wide door opening which provides appropriate access to and from the garage. The minimum internal dimensions comply with the DCP requirements of 5.7m x 6m. A selection of paving materials for driveways in natural tones will be used and reinforced by natural landscaping. Please refer to attached landscape plan for further details.
B8 Site Works Management	Complies	The proposed dwelling requires a small amount of cut and fill (200mm of each) to suit the site. 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.

# 4.3.2 Development Type Controls (Section C)

# 4.3.2.1 Design Criteria for Residential Development (Section C1)

Control / Objective	Compliance	Comments
C1.1 Landscaping	Complies	The proposed landscaped area of the dwelling house is 55.11% which complies with the minimum
		50% of the site. The site will use appropriate soil depth for landscaping. More than 60% of the area in front of the building line is proposed to be landscaped. On-site screening is proposed to be comprised of vegetation. No noxious or undesirable



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Control / Objective	Compliance	Comments
		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 in regards to 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 a small number of windows with screening measures below 1.7m in height, oppositely 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	A minimum of 80m <sup>2</sup> of private open space is to be provided at ground level, with no dimension less



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Control / Objective	Compliance	Comments
-		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 <sup>2</sup> of private open space, 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. Clothes drying facilities and
		composting facilities are included within the ground-
		level private open space area.
C1.8 Dual Occupancy	N/A	Not a dual occupancy.
Specific Controls		
C1.9 Adaptable Housing and	N/A	Not applicable for the proposed private dwelling
Accessibility		house.
C1.10 Building Facades	N/A	Not applicable for the proposed dwelling house.
C1.11 Secondary Dwellings	N/A	The proposal does not involve any secondary
and Rural Worker's		dwellings or rural workers' accommodation.
Dwellings		
C1.12 Waste and Recycling	Complies	Waste will be managed appropriately and
Facilities		compliance with the appropriate waste
		management procedures and requirements can be
C1.13 Pollution Control	O a mana li a a	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	N/A	No separately accessible structures are proposed
Structures	14// (	as part of this DA.
C1.15 Storage Facilities	N/A	Not applicable for the proposed dwelling house.
C1.16 Development ancillary	N/A	Not applicable for the proposed dwelling house.
to residential accommodation	-	January 1 of the state of the s
- Tennis Courts		
C1.17 Swimming Pool Safety	N/A	Not applicable for the proposed dwelling house.
C1.18 Car/Vehicle/Boat	N/A	Not applicable for the proposed dwelling house.
Wash Bays		
C1.19 Incline Passenger Lifts	N/A	Not applicable for the proposed dwelling house.
and Stairways		
C1.20 Undergrounding of	N/A	Not applicable for the proposed dwelling house.
Utility Services		
C1.21 Seniors Housing	N/A	Not applicable for the proposed dwelling house.
C1.23 Eaves	Complies	Proposed dwelling eaves are to be 600mm wide on
		the side elevations which complies with the
		minimum of 450mm in width specified by the DCP.
C1.24 Public Road Reserve -	Complies	No trees are proposed to be removed as the
Landscaping and		driveway and crossover are existing and require no
Infrastructure		alterations.
C1.25 Plant, Equipment	Complies	Plant and equipment boxes, air conditioning units
Boxes and Lift Over-Run		and other equipment units are integrated into the



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Control / Objective	Compliance	Comments		
		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)

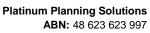
# 4.3.3.1 Mona Vale Locality (Section D9)

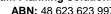


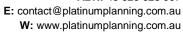
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Control / Objective	Compliance	Comments
		Telecommunications equipment is minimised and
		screened from public view, general services are
		located underground, all electrical cabling is
		concealed and no conduit or sanitary plumbing is
		located 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.
D9.2 Scenic protection -	Complies	The proposed dwelling house is considered
General		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 a 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
		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 suit the proposed dwelling house with
		complementary landscaping to be provided (please
		refer to the material attached to this application).
D9.3 Building colours and	Complies.	The proposal utilises an appropriate colour pallet
materials	•	which complies with the DCP requirements. Please
		refer to the material attached to this documentation
		for further details.
D9.6 Front building line	Complies	The proposed dwelling has a front setback of
	with intent –	6.465m which is not compliant with the required
	minor	6.5m setback. This minor non-compliance of 0.35m
	variation	is not expected to result in any lost amenity for the
	requested	surrounding local area. Strict compliance with this
		control would result in the dwelling being located in
		close proximity to the existing swimming pool.
		Additionally, the majority of the dwelling is located at
		least 8.595m from the front building line with the









Control / Objective	Compliance	Comments	
		garage further recessed. Due to this, the dominance of the structure on the street will be limited and	
D9.7 Side and rear building line	Complies	should be fully supported by Council.  The proposed dwelling has a 2.57m and 1m side setback and has a 13.353m rear setback. The proposal's side setbacks complies with the required minimum of 2.5m for one side and 1m for the other. The rear setback complies with the required minimum of 6.5m.	
D9.9 Building envelope	Complies	The proposed dwelling is siting entirely within the applicable building envelope and therefore complies with the DCP requirements.	
D9.10 Landscaped Area - General	Complies	The proposed landscaped area of the dwelling house is 55.11% 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 there 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 includes a brick retaining wall integrated into the driveway and will not be visible from the street.	
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.	



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# 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:  (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 Secretary 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  (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  (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and  (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,	a) The proposal aligns with the relative matters of the LEP and DCP as per the compliance 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.		
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,	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		



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	Evaluation		Assessment	
			social perspective as part of on-going investment and development.	
c)	the suitability of the site for the development,	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.	
d)	any submissions made in accordance with this Act or the regulations,	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.	
e)	the public interest.	e)	The proposal is in the public interest as it satisfies the objectives of the relevant planning controls.	

## 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.



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# 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.



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# **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.