



RYAN

PLANNING & DEVELOPMENT
PTY LTD

PROPOSAL DESCRIPTION-

Proposed construction of New Dwelling,
Above Ground Pool and Retaining Walls

PROPOSAL REFERENCE NUMBER-

J19606

ADDRESS-

284 Tallwood Dr, Tallwoods Village NSW 2430





QUALITY CONTROL

Author:	Anna Sharikova – Statutory Planner
Client:	- Craig Anthony Hall
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Statement of Environmental Effects

284 Tallwood Dr, Tallwoods Village NSW 2340

INTRODUCTION

This Statement of Environmental Effects has been prepared in support of a Development Application for the proposed development, made under Part 4 of the Environmental Planning and Assessment Act 1979.

A description of the proposed development is available in the appropriate sections of this report as well as through provided submission material. This report is to be considered holistically as such.

In accordance with Schedule 1 of the Environmental Planning and Assessment Act 1979, this Statement of Environmental Effects aims to clarify/indicate the expected circumstance with regards to

(a) the environmental impacts of the development,

(b) how the environmental impacts of the development have been identified,

(c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,

(d) any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of this clause.

These considerations are framed through a comprehensive assessment of the development proposal with respect to the relevant Environmental Planning Instruments and Development Control Plans including:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Greater Taree Local Environmental Plan 2010
- Greater Taree Development Control Plan 2010





SITE ANALYSIS

Address	○ 284 Tallwood Dr, Tallwoods Village NSW 2430
Lot/Section/DP	○ 700/-/DP1061078
Environmental Planning Instrument/s	○ State Environmental Planning Policy (Sustainable Buildings) 2022 ○ Greater Taree Local Environmental Plan 2010
Development Control Plan	○ Greater Taree Development Control Plan 2010
Precinct	○ N/A
Zone	○ R1: General Residential
Zone Objectives	• To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents.
Site Area	○ 725.4m² (Per Plans)





Figure 1 Subject site - satellite image.



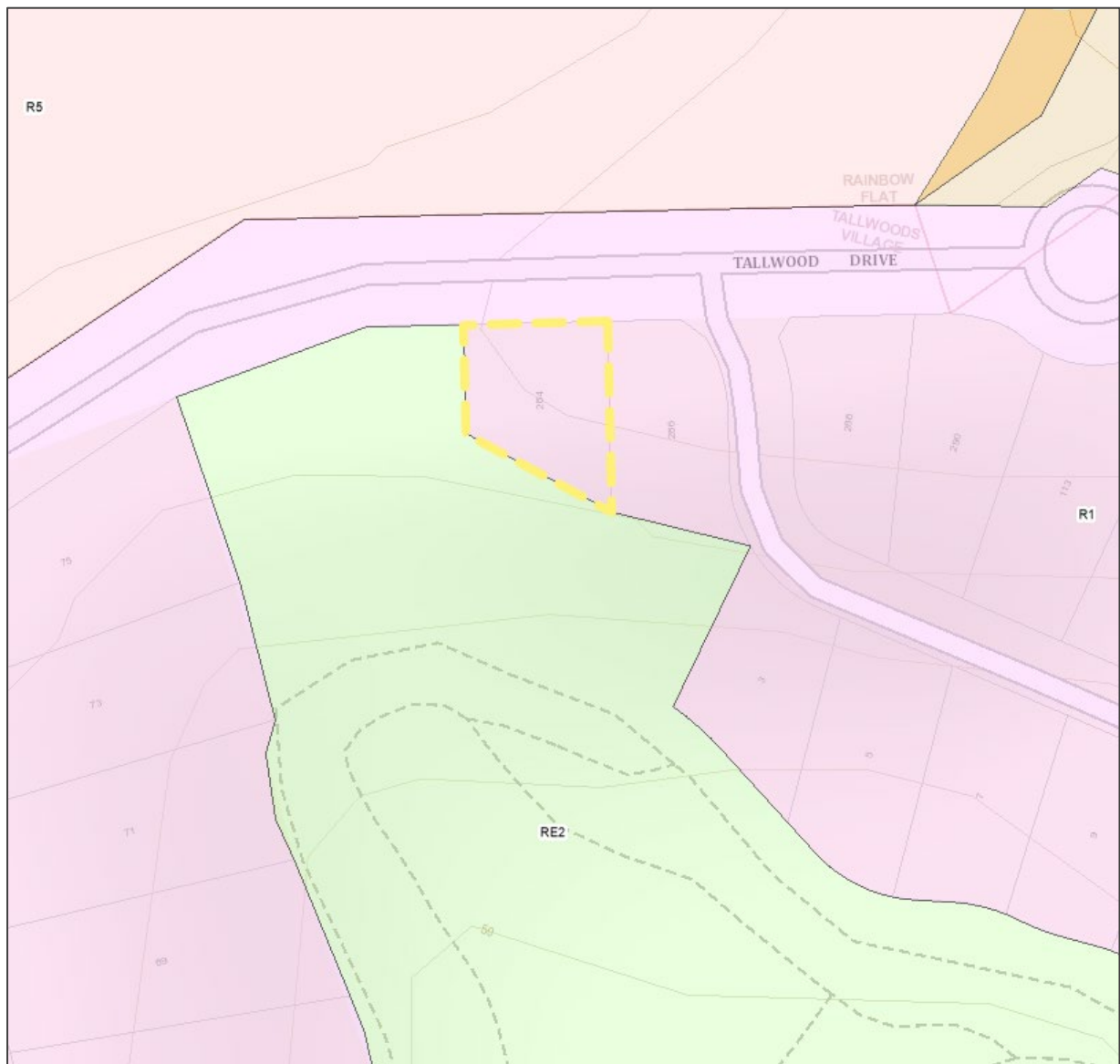


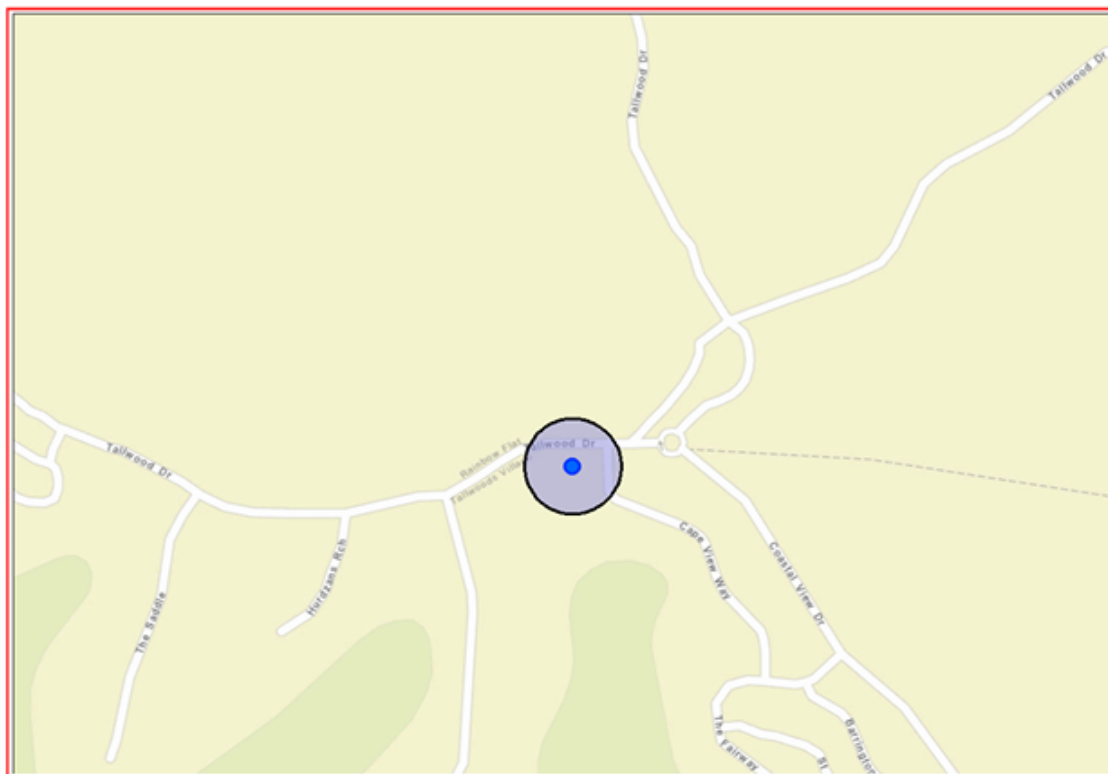
Figure 2 Zoning of the subject property.





AHIMS Web Service search for the following area at Address : 284 TALLWOOD DRIVE TALLWOODS VILLAGE 2430 with a Buffer of 50 meters, conducted by Daryl Ryan on 04 December 2024.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 3 - AHIMS Search Excerpt

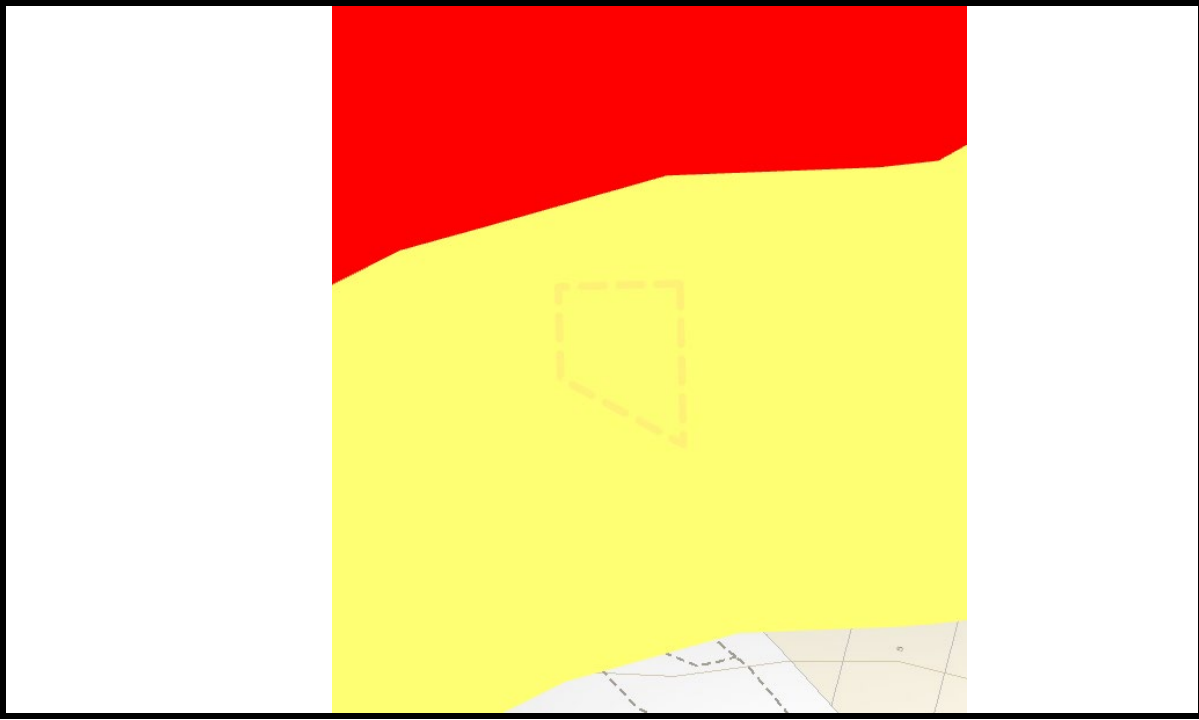




Greater Taree Local Environmental Plan 2010 Mapping: (MAP Ref: 015B)

Minimum Subdivision Lot Size:	○ 450m ²
Maximum Building Height	○ 8.5m
Maximum FSR	○ 0.6:1
Heritage	○ N/A
Flood	○ Not mapped

Non-EPI & Misc. EPI Constraint Mapping:

Bushfire Prone Land	○ Entire site mapped as bushfire-prone land. Refer below Site located within Vegetation Buffer Zone in yellow and adjacent Vegetation Category 1 to the North.
	





Easements and special restrictions on the land:

FOLIO: 700/1061078 -----
SEARCH DATE TIME EDITION NO DATE ----- 2/4/2024 3:25 PM 3 10/6/2021
LAND ----- LOT 700 IN DEPOSITED PLAN 1061078 AT HALLIDAYS POINT LOCAL GOVERNMENT AREA MID-COAST PARISH OF BERYAN COUNTY OF GLOUCESTER TITLE DIAGRAM DP1061078
FIRST SCHEDULE ----- CRAIG ANTHONY HALL (T AR131910)
SECOND SCHEDULE (5 NOTIFICATIONS) ----- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S) 2 DP1061078 RESTRICTION(S) ON THE USE OF LAND (N) REFERRED TO AND NUMBERED (1) IN THE S.88B INSTRUMENT 3 DP1061078 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (2) IN THE S.88B INSTRUMENT 4 DP1061078 EASEMENT TO DRAIN SEWAGE 4 METRE(S) WIDE (S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM 5 DP1061078 EASEMENT TO DRAIN WATER VARIABLE WIDTH (B) APPURTENANT TO THE LAND ABOVE DESCRIBED
NOTATIONS -----
UNREGISTERED DEALINGS: NIL

Figure 4 - Title Cert Excerpt



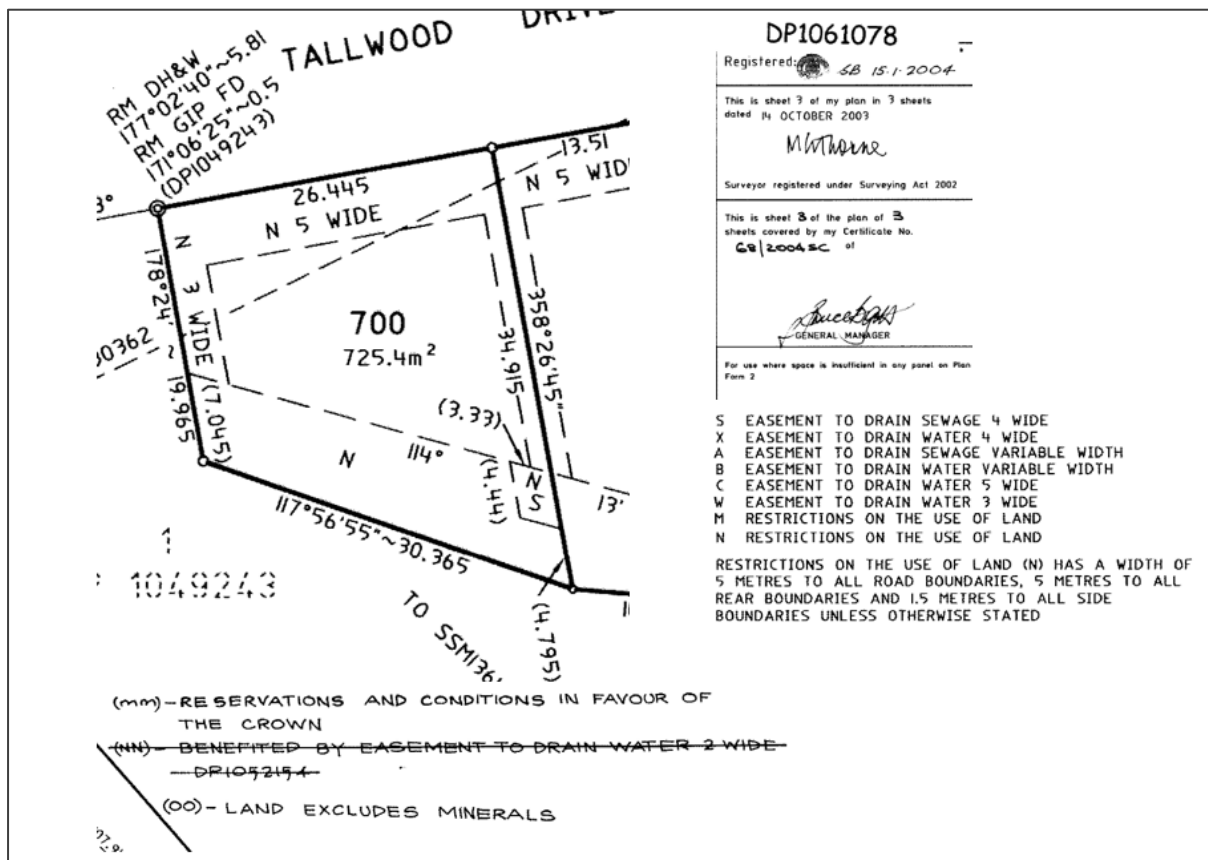


Figure 5 - Excerpt of DP1061078





PROPOSED DEVELOPMENT

Description of Development:

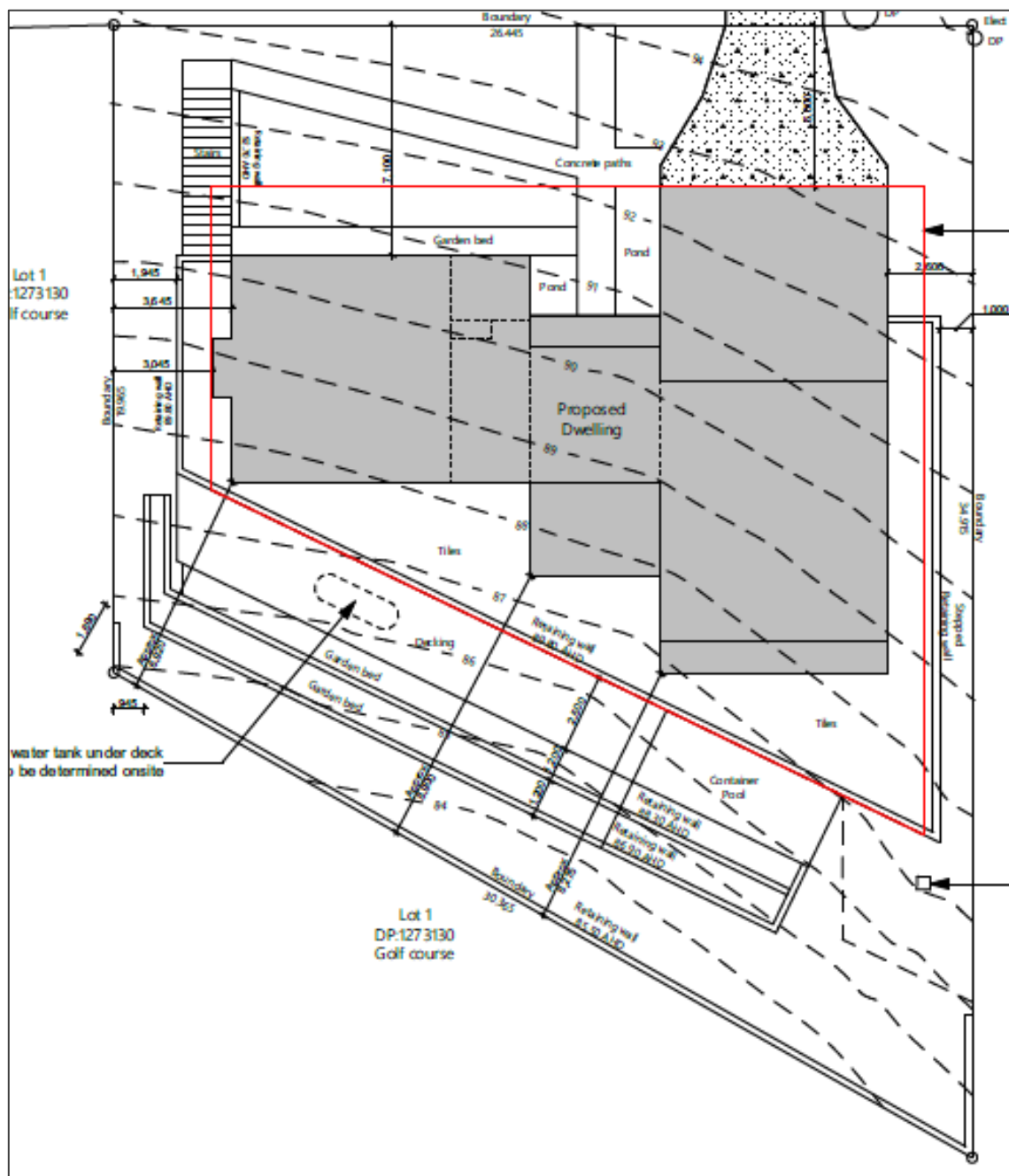
This Statement of Environmental Effects has been prepared in review of the proposed new dwelling at 284 Tallwood Dr, Tallwoods Village NSW 2340. Specifically, the proposed development involves the construction of a new two storey dwelling house inclusive of a kitchen, five bathrooms, a double garage, upper level living spaces and outdoor private space. The proposed also includes the installation of a shipping container swimming pool and associated earthworks and landscaping.

The owners of the property are committed to minimising any negative impacts on the surrounding ecosystem and maintaining the inherent natural beauty of the area. The sight constraints in the form of landslip and bushfire risk have been factored in the design of the proposed with mitigation measures as per the supportive report on such elements of the development. The owners also aim to provide a high amenity dwelling which is envisaged to generally foster enhanced outcomes for the locality and demonstrate high quality outcomes where suitable flexibility is considered in designs catering for steep sites.



Figure 6 - 3D Excerpts





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Figure 8 - North (above) and South (below) Elevations





EVALUATION

This section deals with the proposal's consistency with the various statutory and non-statutory provisions. It also addresses the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

Environmental Planning and Assessment Act 1979 No 203

4.15 Evaluation (cf previous s 79C)

(1) Matters for consideration—general in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application

(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT:

State Environmental Planning Instruments:

Instrument: State Environmental Planning Policy (Sustainable Buildings) 2022
1.3 Aims of Policy
<i>The aims of this Policy are as follows— (a) to encourage the design and delivery of sustainable buildings,(b) to ensure consistent assessment of the sustainability of buildings,(c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored,(d) to monitor the embodied emissions of materials used in construction of buildings,(e) to minimise the consumption of energy,(f) to reduce greenhouse gas emissions,(g) to minimise the consumption of mains-supplied potable water,(h) to ensure good thermal performance of buildings.</i>
Attention is drawn to the supplied BASIX certificate.





Local Environmental Planning Instruments:

Instrument: Greater Taree Local Environment Plan 2010
Part 2 permitted or prohibited development
Land use table
Zone R1 General Residential
1 Objectives of zone • To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents.
The subject development is seen to be in alignment with the objectives of the R1 Zone in that it provides housing for the locality whilst not infringing upon other land uses that provide facilities and services to the community.
2 Permitted without consent Home occupations 3 Permitted with consent Advertising structures; Attached dwellings; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Cemeteries; Centre-based child care facilities; Community facilities; Dual occupancies; <u>Dwelling houses</u>; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health services facilities; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Moorings; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Service stations; Serviced apartments; Sewerage systems; Shop top housing; Take away food and drink premises; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water supply systems 4 Prohibited Any development not specified in item 2 or 3
The proposed is seen to be suitably characterised as a dwelling house and is permissible within the zone with development consent.





Part 4 Principal development standards

4.3 Height of buildings

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

The maximum building height is noted to be 8.5m (HOB_15B).

The plans nominate the maximum building height to be 10.767m.

The proposed is noted to be in contravention to this standard, however, is shown to be suitable for consent under Clause 4.6 of the LEP – Refer Separate Clause 4.6 Variation Report.

4.4 Floor space ratio

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The applicable maximum floor space ratio is mapped as 0.6:1 (FSR_015B).

The plans indicate compliance with a nominated maximum FSR of 0.19:1.

4.6 Exceptions to development standards

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and**
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.**

(8) This clause does not allow development consent to be granted for development that would contravene any of the following—

- (a) a development standard for complying development,**
- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,**

The subject development is noted to be seeking consent with a contravention to the maximum building height standard prescribed under Clause 4.3. Refer Separate Clause 4.6 Variation Report.





Part 7 Additional local provisions

7.3 Earthworks

(3) Before granting development consent for earthworks, the consent authority must consider the following matters—

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,**
- (b) the effect of the proposed development on the likely future use or redevelopment of the land,**
- (c) the quality of the fill or the soil to be excavated, or both,**
- (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,**
- (e) the source of any fill material and the destination of any excavated material,**
- (f) the likelihood of disturbing relics,**
- (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.**

Attention is drawn to the submitted geotechnical assessment provided by Regional Geotechnical Solutions (REF - RGS03197.1-AC: 12.09.24)

7.11 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,**
- (b) the supply of electricity,**
- (c) the disposal and management of sewage,**
- (d) stormwater drainage or on-site conservation,**
- (e) suitable road access.**

The subject site is understood to have direct access to existing essential services as described above or that these would otherwise be made available prior to OC.





(III) ANY DEVELOPMENT CONTROL PLAN:

Local Development Control Plan:

Instrument: Greater Taree Development Control Plan 2010
Part D Environmental Requirements
D3 Earthworks, Erosion and Sedimentation
D3.1 Earthworks
Cut and Fill and Retaining Walls – Residential Development
1. The maximum amount of cut shall not exceed 1m. The maximum amount of fill shall not exceed 1m. 2. Fill within 2.0m of a property boundary shall be fully contained by the use of deepened (drop) edge beam construction with no fill permitted outside of this building footprint. 3. The use of a deepened edge beam shall not exceed 1m above natural ground level. 4. Where filling is required alongside a driveway, it shall be retained by a retaining wall. 5. Council will consider permitting greater cut for basement garages and split level designed development on steeply sloping sites. 6. All retaining walls proposed are to be identified in the development application. Excavations affecting adjoining properties are to be retained or shored immediately. All other approved retaining walls are to be in place prior to the issue of an occupation certificate.
Attention is drawn to the submitted geotechnical assessment provided by Regional Geotechnical Solutions (REF - RGS03197.1-AC: 12.09.24)
Steep/Unstable Land
1. Development on land having a natural gradient of 1:6.7 (15%) or greater shall not be approved unless a geotechnical study, including guidelines for structural and engineering works on the land has been considered by Council.
Attention is drawn to the submitted geotechnical assessment provided by Regional Geotechnical Solutions (REF - RGS03197.1-AC: 12.09.24)





D3.2 Erosion and sediment control requirements

Attention is drawn to the sediment and erosion control plan within the primary architectural plan set.

Drainage

1. All upslope run-off will be intercepted above the site and diverted around all areas to be disturbed using diversion drains, earth banks, sediment fence or sandbags,
2. Diversion drains will be made erosion proof by stabilising and bare soil should discharge safely to a sediment control structure or turfed/stabilised area,
3. Where an open drain or watercourse flows through the construction site, measures such as sandbags should be installed to decrease flow velocities and prevent sediment materials entering waters,
4. For building works, all roof guttering and downpipes will be installed and connected to an approved drainage system immediately after fixing roof material. Where stormwater management is not immediately available, downpipes should discharge away from the building site onto a stabilised area (i.e. geo-textile sheet) within the property boundary.

Attention is drawn to the submitted Stormwater Management Plan prepared by Broadcrest Engineering – (Ref:3776-8W – 04.09.24)

Site access

1. *Vehicular access to the site will be restricted to a single, well defined, all-weather access consisting of 40mm aggregate. The access location must be shown on the site plan and clearly marked out on the site using boundary markers or similar,*
2. *Vehicular access must be controlled to prevent sediment being tracked onto adjoining land and roads. Aggregate and sediment deposited on sealed roads should be thoroughly swept and removed to prevent this material entering the drainage system,*
3. *Vehicular operation within the construction site should be limited to approved areas by placement of operational boundary markers or similar,*
4. *Materials must not be placed in the gutter to provide access to the site.*

The current plans indicate compliant site access in the above regard.





Topsoil and stockpiles

- 1. Topsoil is the best growing medium for revegetation as it contains seeds of endemic species, nutrients and organic matter essential for plant growth. It will be stripped and saved before disturbance of the work area commences, in order to maintain the viability of seed that may be stored in the soil. Topsoil stockpiles should not exceed 2m in height. Topsoil should be respread on the site as soon as practical after completion of works.**
- 2. Stockpiles of erodible building materials or soils will not be located on a nature strip, footpath, roadway, kerb, access, reserve or watercourse without Council approval,**
- 3. Sediment fences will be placed around stockpiles. The placement of vegetation and/or turf next to stockpiles may also reduce runoff from those stockpiles. Coverage of stockpiles with plastic or geo-textile may also be required to prevent wind erosion,**
- 4. Stockpiled material that is scheduled to remain undisturbed for more than 14 days will be covered and stabilised to avoid erosion at the location of placement,**
- 5. Any stockpiled or unwanted spoil remaining on site will be removed on completion of works.**

The above items are considered to be matters applicable at the construction certificate stage and do not require comment at this time per the EP and A Regs 2021.

Erosion and sediment control devices:

Examples of erosion and sediment control devices include but are not limited to:

- Sediment fences or similar trapping measures are to be properly installed within the property boundary and down slope of any cleared and/or disturbed area. Sediment fences are to be used in preference to straw bales,**
- Silt sausages or silt bags are to be placed across open drains and around drainage inlet pits, pipe head walls and kerb inlets to reduce flow velocities and capture sediment,**
- Jute mesh fabric is to be pinned to steep slopes and steep slope drains to prevent erosion during heavy rain periods,**
- A turf filter strip is to be laid and maintained along the down slope boundary, or adjacent to the kerb and gutter, to act as a final filter for any run-off leaving the property,**
- Sediment traps are small dams designed to hold water and allow sediment to settle before discharge to waterways. Sediment traps are used where water flows have been concentrated, such as in drainage lines and gutters. They may be constructed from a range of materials including geo-textile, gravel, gabion or sandbags.**

Attention is drawn to the sediment and erosion control plan within the primary architectural plan set.





D4 Vegetation Management

D4.1 Vegetation Management

Controls

1. Removal or pruning of vegetation on land to which the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 applies, must comply with the process outlined in the Vegetation Management Policy.

The proposed is not seen to be in conflict with this control as no trees are proposed to be removed.

PART G CAR PARKING AND ACCESS

G1 Car parking and access

General requirements for all development

- 1. Car parking spaces will not be permitted closer than 3m to the street alignment in residential areas and 6m to the street alignment in industrial areas. Wherever practical a minimum 3m set back will also be applied in commercial areas.**
- 2. The minimum width of an enclosed garage shall be 3m. The garage opening may be a minimum of 2.6m provided the width is sufficient to allow convenient access to and from the garage in accordance with the design car turning path.**
- 3. Combined entry/exit driveways are to have a minimum width of 6m and singular driveways (separate entry/exit ways) are to have a minimum width of 4m, unless otherwise specified.**
- 4. Hardstand areas should be minimised, but where used shall be concrete or bitumen and, where soil conditions and vehicular traffic permit, be substantially constructed using semi-pervious materials.**
- 5. All rights of way and access corridors for battle axe blocks shall have a concrete driveway constructed to the satisfaction of Council in conjunction with civil works required for subdivision. The driveway shall be a minimum of 3m wide and is not to service more than 3 lots.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 – 12.11.24) noting page A101-First Floor displays the garage width as 7m. The proposed garage is seen to be setback greater than the minimum 3m (5m setback proposed). The proposed is not in conflict with this clause.





G1.1 Location of driveways

- 1. A vehicular driveway, entry and/or exit, which crosses the edge of the carriageway and the property boundary, shall:**
 - a. Be clear of all obstructions which may prevent drivers from having a timely view of pedestrians;**
 - b. Be located such that any vehicle turning from the street into it or into the street from it can be readily seen by the driver of an approaching vehicle in the street;**
 - c. Be constructed in accordance with Australian Standard AS2890.1 Parking Facilities – Off Street Car Parking.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A02-Site Plan. The proposed in not in conflict with this clause.

G1.3 Parking requirements for specific land uses

- 2. Details and plan of parking areas and driveways shall be submitted with the Development Application indicating method of construction, paving, marking and drainage.**
- 3. In respect of existing premises being altered (including reconstruction), enlarged or converted the following shall apply:**
 - a. If the alteration does not result in increased floor space and the use of the building is not significantly changed, then no provision for parking will be required;**
 - b. If the alteration results in increased floor area then parking will be required in respect of the increased area only;**
 - c. If the use of an existing building, or part thereof, is changed the assessment of parking required will be based on the extent to which the requirement for the new use exceeds the requirement for the former or existing use.**

LAND USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED (GFA = GROSS FLOOR AREA; NFA = NET FLOOR AREA)
Residential	
Dwelling house	1 space behind building setback and a minimum 3m wide driveway.
Dual Occupancy	1 space per 1 and 2 bedroom dwelling. 2 spaces for each 3 or more bedroom dwelling.

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A101-First Floor displays 2 dedicated car spaces. The proposed in not in conflict with this clause.





PART H RESIDENTIAL REQUIREMENTS

H2 Primary residential requirements

H2.1 Site coverage and lot requirements

1. The maximum site coverage for all residential development is 65%.

The submitted plans indicate compliance with site coverage nominated to be 58.68%

H2.3 Building height

1. The lowest floor level of all development shall not be greater than 1m above natural ground levels at any point.

2. In areas mapped as having a permitted building height of 8m or 8.5m, development shall contain not more than two storeys at any given point.

3. In areas mapped as having a permitted building height of 8m or 8.5m, the maximum height to the point of intersection of wall and eaves lines is to be 6m above the corresponding lowest storey at any point along the line of external walls.

4. In areas mapped as having a permitted building height of 11.5m, development shall contain not more than three storeys at any given point.

5. In areas mapped as having a permitted building height of 11.5m, the maximum height to the point of intersection of wall and eaves lines is to be 9m above the corresponding lowest storey at any point along the line of external walls.

6. Rooftop balconies, terraces and the like are to be considered as a storey.

The proposed is noted to exceed the site maximum prescribed under the LEP – Attention is drawn to the submitted Clause 4.6 Variation Report for discussion on this.

In regards to item 1 above... it is considered this particular development control is not suitably applied to site with slope equitable to that of the subject site and that its implementation would result in adverse outcomes. This control would essentially force built form to be spread across the site to a greater extent with increased terracing, ultimately imparting greater impacts to the natural topography of the locality and increased perceptible built form from a distance. Further, implementation of such a control would result in less accessible housing via an increase in split levels making availability of housing supply for an ageing population decreased.





H2.4 Car parking and access

- 1. Garages and driveways do not dominate the street facade of the development.**
- 2. Long straight driveways are to be avoided.**
- 3. Hardstand areas should be minimised and, where soil conditions permit, be substantially constructed using semi-pervious materials to reduce water run-off and increase soil absorption.**
- 4. Design for vehicle access and parking should in every instance take into account:**
 - The size and number of dwellings proposed**
 - The provision of on-site car parking that is easily accessible by visitors**
 - The effect of sloping land in reducing parking opportunities**
 - The safety of pedestrians, cyclists and vehicles**
 - Efficient use of car spaces and access ways including manoeuvrability for vehicles between the street and the lot.**
- 5. Driveways in all cases are to be at least 3m wide and include an internal radius of 4m at the point where there is a change in direction.**
- 6. Special consideration will be given to particular site conditions such as existing vegetation, site drainage, steep access etc.**
- 7. Where land has a frontage to a main road all development shall provide sufficient area on site to allow vehicles to enter and leave the site in a forward direction.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A02-Site Plan. The proposed in not in conflict with this control.





H2.5 Private open space

- 1. Each dwelling shall be provided with quality, useable private open space (POS)**
- 2. The POS area of each dwelling is to have a principal private open space (PPOS) directly connected to a living zone of the dwelling.**
- 3. POS is to be no steeper than 1:10 gradient. On steeper sites open space is to be terraced to provide useable space. A front POS forward of the building line will only be considered where the allotment is predominantly north facing.**
- 4. Sunlight must reach at least 50% of the POS of both the subject dwelling and of any adjoining dwelling, for not less than 3 hours between 9:00am and 3:00pm on 21 June. POS that has a southerly orientation (shaded by the dwelling and/or adjacent dwelling) may require an increase in its area to compensate for the shaded POS.**
- 5. At least one principal living area of a dwelling must face predominantly north.**
- 6. The POS shall be adequately screened for privacy from adjacent dwellings and passers-by.**
- 7. Any dwellings which cannot be provided with private open space at ground level (i.e. residential flat buildings, shop top housing) shall instead be provided with a balcony.**
- 8. Enclosing screen walls or fences should be designed to ensure privacy, for the dwelling and for adjoining communal open space or access ways and for other dwellings and their yards.**
- 9. Part of the private open space should be capable of enabling an extension of the function of the dwelling for relaxation and recreation, and be directly accessible from the living area of a dwelling. Its location should take into account: outlook, natural features, continuity with open space and the location of adjoining dwellings. Its orientation should provide for maximum year round use.**
- 10. Planting should not obscure or obstruct dwelling entries, adjoining public space, paths or streets in a way that reduces actual or perceived personal safety.**
- 11. Proposed tree locations and species are to be selected so as not to adversely impact upon the amenity of adjoining properties or interfere with adjoining structures.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A06-Landscape Plan. The proposed in not anticipated to be in conflict with this clause.





H2.6 Solar access and overshadowing

1. Shadow diagrams are to be submitted with all new development applications for 2 storeys or greater. The shadow diagrams are to be professionally prepared and based on a survey of the relevant site and the adjoining development / properties. Shadow diagrams are to take into consideration existing vegetation.
2. All new dwellings are to be designed to ensure that the predominant living spaces and the key private open space maximises northern or eastern sun.
3. The proposed development is to demonstrate that a minimum of 3 hours solar access is achieved between 9:00am and 3:00pm on 21 June to at least 50% of the private open space and to the principle living, dining, family and rumpus room(s) of the proposed dwelling and the adjoining dwellings/properties. Where this cannot be achieved, applicants are to demonstrate that the design maximises solar access.
4. Buildings must be sited and/or designed to avoid overshadowing on adjoining properties should be addressed, including, but not limited to, increasing setbacks, articulation, variations in roof forms and/or reducing building bulk or minimising height.

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 – 12.11.24) noting page A500-Overshadowing Plans. The proposed in not envisaged to conflict with this clause.

H2.7 Acoustic and visual privacy

1. Windows and balconies should be designed and oriented to minimise overlooking of main living areas and private open space. Effective design is preferred to the use of screening devices, high sills or obscured glass.
2. Dwellings are to be sited and designed to limit the potential for noise transmission to the living and sleeping areas of adjacent dwellings.
3. Shared common walls and floors between dwellings must be constructed in accordance with the noise transmission and insulation requirements of the Building Code of Australia.
4. Where landscape plantings can assist in visual privacy, evergreens must be used and they must be of a size that will visually screen the noise source within 3 years.
5. Careful consideration should be given to the location of noise generating activities/items such as air-conditioning units, swimming pool equipment, recreation areas driveways and car spaces to minimise the impact on the amenity of adjoining properties.
6. A minimum line-of-sight separation of 3m is required between parking areas/streets and all bedroom windows.
7. Where any wall openings of adjacent dwellings are opposite each other, a minimum separation of 3m is required.
8. All opposing windows and doors on adjacent lots must be offset
9. A minimum of 9m is required between the windows of habitable rooms of facing dwellings that abut a public or communal area. This distance should be increased to 12m for windows above first-floor level. Direct views between living area windows of adjacent dwellings must be screened or obscured where:
 - Ground and first floor windows are within an area described by taking a 9m radius from any part of the window of the adjacent dwellings. An area so defined is described as a privacy sensitive zone.





- Other floor windows are within a privacy sensitive zone described by a 12m radius.

10. Overlooking of ground level private open spaces, from upper levels is to be avoided, for example through the use of setbacks, level changes, landscaping and/or pergolas.

11. Overlooking between units is to be avoided, for example through dividing fins, louvers and other design detail.

12. The windows and doors of proposed dwellings that provide direct view into the living area/bedroom windows of an adjoining dwelling should:

- Be located out of alignment with the windows of adjoining dwellings, or
- Have fixed obscure glazing to a minimum height of 1.7m above floor level, or
- Use another form of screening to the satisfaction of Council.

13. The outlook from a proposed dwelling into the private open space of another dwelling does not require screening where:

- Windows are in bathrooms, toilets, laundries, storage rooms or other non habitable rooms.
- Windows have a minimum sill height of 1.5m above floor level or translucent glazing to a minimum height of 1.5m above floor level.
- Windows and balconies of upper level dwellings are purpose designed to prevent overlooking of more than 50% of the private open space of a low-level or neighbouring dwelling.

The proposed is considered to demonstrate suitable outcomes in the above regard.

H2.8 Views

1. Provision of a view analysis as a component of a site analysis to indicate that a proposed development reflects the desirability of protecting known views and the principles of view sharing. The view analysis of surrounding development is required to indicate the position of the proposal on its site, the location of adjoining buildings and the degree of view loss, if any, resulting from the proposal.

2. Council may require the erection of a height profile structure certified by a registered surveyor on the site prior to determining an application.

The proposed is not known to be associable with any adverse impacts in the above regard.





H2.9 Safety, security and entrances

- 1. Buildings are designed to face the street, with at least one habitable room window which can overlook streets and other public areas to provide casual surveillance of the public domain.**
- 2. The site layout should ensure that the front entrance to a dwelling is easily identified by visitors and emergency services through design and conspicuous house numbering and that adequate privacy is maintained between individual entrances.**
- 3. Separate and covered pedestrian entry should be provided to each dwelling. In the case of dual occupancy, entries should be either oriented to the street and/or separated from driveways and communal areas by a transition zone (e.g. a porch or front verandah).**
- 4. Front fences, garages and landscaping elements are to be designed not to obstruct casual surveillance to and from the dwelling to permit safe access by residents and visitors to the dwelling.**
- 5. Lighting to the exterior is to be provided to enhance the amenity and security around the dwelling, however, light spill must not adversely impact on adjoining properties.**
- 6. Buildings should be detailed or articulated in a manner that identifies the entry and expresses individual dwellings to the street frontage where possible.**

The proposed is seen to offer suitable opportunity for public surveillance via the large openings adjacent the primary entrance to the dwelling in addition to the window panes of the first floor master bedroom. Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A300:E-01. The proposed in not envisaged to be in conflict with this clause.





H2.10 Front Fencing

Private Open Space Fencing

- 1. Where front fencing is utilised to provide screening to private open space it must be no higher than 1.5m if located on the front boundary. If proposed higher than 1.5m the fence must be located at least 1.2m from the property boundary. Private open space fencing must not exceed 1.8m.*
- 2. Private open space fencing must demonstrate its adequacy for providing privacy to the development. Design treatments such as articulation, panelling, hedging, etc can be engaged to provide both privacy and contribute to the visual amenity of the streetscape.*

Attention is drawn to the submitted landscape plan. Suitable outcomes and general compliance with regard to the above is noted.

H3 Controls for specific forms of residential accommodation

H3.1 One and two storey single detached dwellings

Setbacks

1. The minimum primary street boundary setback is 5m. However, where adjacent residential development is closer to the front boundary, Council may consider a setback equal to that of whichever neighbouring dwelling/building most closely meets the required setback.
2. Where adjacent development is set further back than the minimum requirement, Council may require a greater setback than the minimum permissible. The minimum required setback from a secondary frontage (on corner allotments) is 3m.
4. Where adjacent residential development is closer to the boundary, Council may consider a reduced setback. The minimum setback in these locations must be 2m. Likewise, where adjacent development is set further back, Council may require a greater setback than the minimum permitted.
5. The garage door (regardless of the frontage of the site) shall achieve a minimum setback of 5m from the relevant street frontage.
6. Side and rear setbacks are to be a minimum of 900mm for single storey development. Where the rear property boundary adjoins a public reserve, a minimum 3m building setback is required. Two storey developments are to be set back a minimum of 1600mm from side and rear boundaries.
7. Where site conditions warrant and provided that there is no unreasonable adverse impact on the privacy or solar access of adjoining properties, and is consistent with the existing streetscape of the locality, Council may allow side or rear walls without windows to be built to the boundary (zero lot line).
8. Projections permitted into setback areas include: eaves, sunhoods and vertical sun screens, gutters, downpipes, flues, light fittings, electricity or gas meters and aerials. These can project 450mm (where the setback is 900mm) or to the boundary, whichever is less.

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A02-Site Plan.

The proposed is compliant with a minimum front setback of 5m proposed.

The proposed rear setback of 6.92m is compliant with the 3m minimum for block backing onto a reserve.





A minimum side setback of 1.9m is proposed, compliant with the minimum setbacks applicable to two-storey elements. The proposed is not in conflict with this clause.

Car parking

- 1. Car parking is to be provided at the rate of 2 off-street parking spaces behind the Council specified building line.**
- 2. The combined garage and driveway space for each dwelling must be long/wide enough to accommodate two vehicles behind the street boundary.**
- 3. With the exception of corner lots, vehicular access to all residential developments is to be achieved by way of a single driveway crossing.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 02.04.24) noting page A101-First Floor displays 2 off street dedicated car spaces. The proposed in not in conflict with this clause.

Private Open Space

- 1. A minimum of 80m² of private open space directly linked to the principal living areas, with minimum dimensions of 6m x 4m is to be provided.**
- 2. Where Private Open Space is to be terraced one (1) level must wholly contain the 6m x 4m area. This area must be located adjacent to the dwelling living rooms.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A06-Landscape Plan. The proposed in not anticipated to be in conflict with this clause.





PART M SITE WASTE MINIMISATION AND MANAGEMENT

M3 Construction of buildings or structures

M3.1 Single dwellings and dual occupancies greater than \$50,000.

1. A completed Site Waste Minimisation and Management Plan (SWMMP) shall be prepared and submitted with the development application (see template SWMMP in Appendix J).

2. Plans submitted with the application must show:

a. The location of an onsite waste/recycling storage area for each dwelling, that is of sufficient size to accommodate Council's waste, recycling and garden waste bins. The waste storage area is to be located in the rear yard where possible and in a suitable location to avoid vandalism, nuisance and adverse visual impacts.

b. An identified onsite location for a compost container that does not impact on adjoining properties.

c. An identified kerbside collection point for the collection and emptying of Council's waste, recycling and garden waste bins.

d. The waste storage area is to be easily accessible and have unobstructed access to Council's usual collection point.

e. There should be sufficient space within the kitchen (or an alternate location) for the interim storage of waste and recyclables.

f. All construction waste dockets are to be retained on site during works to confirm which facility received materials generated from the site for recycling or disposal.

Attention is drawn to the submitted Waste Management Plan produced by Prime Drafting. The proposed is not anticipated to be in conflict with this clause.





PART N LANDSCAPING REQUIREMENTS

N1 Landscaping requirements

N1.1 Site coverage and lot requirements

- 1. Designs should reflect the unique local character of the area in which they are located.*
- 2. An assessment of the physical conditions of each site should be undertaken prior to design. Particular emphasis should be placed on the recognition of aspect, prevailing wind directions, soils, drainage and susceptibility of the site to flooding.*
- 3. In established areas, landscaping should relate to the scale of other elements of the streetscape and the landscaping of adjoining development. Where possible, landscaped areas should adjoin the landscaped areas of adjacent allotments.*
- 4. Proposals should endeavour to maintain established gardens, remnant vegetation and natural features where practicable. In particular, proposals should identify existing areas of natural vegetation and provide for the retention, protection and enhancement of these areas within the site where possible.*
- 5. Existing trees should be retained wherever possible and shall be protected during construction with temporary fencing (i.e. capped star pickets at 2m centres with hazard mesh) around their drip lines – outer edge of canopy. Existing areas of natural vegetation shall also be fenced and protected from soil disturbances, and should not be used for the storage of materials.*
- 6. Sites should be considered within the context of their importance and contribution to landscape connectivity and wildlife movement. Proposals should minimise the impact on native flora and fauna and their habitats, particularly threatened species and plant communities and ecological processes. Inclusion of measures to help offset any impacts (such as nesting boxes, bat boxes, bird feeders, etc) should also be considered in the design.*
- 7. To maintain the ecological balance of the local area, indigenous plants (species natural to the local area) should be used in preference to native plants or exotic plants. Noxious weeds, pest plants and undesirable species should also be avoided.*
- 8. Species to be used should be well established, disease free, container or field grown stock that have been propagated for the specific site conditions, i.e. sun-hardened, shade and sun tolerant.*
- 9. Designs should contribute to the creation of pleasant microclimates by providing for summer shade and winter sun and capturing breezes. This can be achieved by incorporating the following:*
 - a. Providing one shade tree per 20m² of lawn area.*
 - b. Maximising winter solar access by planting winter deciduous trees such as Illawarra Flame Tree (*Brachychiton acerifolius*) adjacent north-facing living areas.*
 - c. Respecting the solar access of adjacent properties by minimising overshadowing.*
 - d. Using landscaping to minimise heat and glare from built structures and hard surfaces.*
 - e. Incorporating earth berms or masonry fences in noisy locations to help reduce noise and maintain privacy.*
- 10. Utility services (sewerage, water, gas and power lines) should be considered early in the design phase to avoid disturbance to vegetation during future maintenance works. Tunnelling (directional boring) for*





underground services, rather than open trenching, should be undertaken in areas adjacent to existing trees to reduce injury to tree roots. Potential future impacts on the structural integrity of buildings (including footings) should be considered as well as the use of appropriate mitigation measures such as root pruning and root barriers.

11. For the provision of safe environments plantings should avoid obscuring casual observation of sites and creating areas of dense vegetation, in order to maintain public surveillance and reduce the incidence of crime. Shrub plantings under 1m in height should be used to enable passive surveillance where this is desired. Surfaces should be non-slip, and trip hazards must be avoided. Potential injurious plants should not be used adjacent to pedestrian areas (e.g. sharply pointed or serrated leaves or plants which shed seed/fruit or are prone to dropping limbs). Poisonous plants and plants known to cause respiratory problems should not be used in designs for childcare centres and aged care facilities. Vehicular and pedestrian traffic should be separated.

13. Implementation of Ecologically Sustainable Development (ESD) principles, including the selection of low-embodied energy materials, recycled materials (e.g. chipping any removed vegetation and using the chips on site as mulch, re-use of on-site topsoil, and use of recycled plastic products), and design to ensure low resource consumption (e.g. drought hardy plantings to reduce water use, use of permeable paving and providing onsite detention/infiltration areas to allow rainfall to seep into the soil rather than run off). Water features should be avoided, and sprinklers should be used only in the evening, overnight, or early morning to minimise evaporation losses.

14. Protection of visual amenity: unsightly activities and structures should be screened, and buildings should be framed and softened. The visual impact of car parks and roadways should be reduced by erecting fences and planting mounds and vegetative screens. Good views into and from the site should be used advantageously by siting viewing areas within visual corridors. Entry points should be clearly defined and can be enhanced by special feature / accent plantings to delineate them (e.g. strong plant forms, striking foliage colours, etc).

15. Protection of water quality through the retention of natural vegetation along watercourses, and implementation of short-term erosion control measures (e.g. silt fences) during construction.

17. The choice of hard landscaping materials should be made carefully. Large areas of paving can be enhanced by combining different paving materials (e.g. concrete/bitumen with brick grids or other paving patterns). Smaller areas of paving should be paved with a small-scale unit, which relates to the size of the area to be paved, e.g. brick cobble. Trees in paved areas should be surrounded with root barriers to encourage deep rooting and avoid shallow surface roots, which have the potential to disturb paving units.

18. Hard landscaping should allow the infiltration of water into the soil, through for example permeable paving.

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A06-Landscape Plan. The principles are noted and the proposed in not envisaged to be in conflict with this clause.





N1.2 Landscape plans

Performance criteria

- 1. A Landscape Plan shall be submitted to Council in conjunction with the Development Application, or where otherwise required by Council.**
- 2. Landscape Plans shall be prepared by a suitably qualified and experienced person (this is normally a Landscape Architect or a Landscape Designer with project experience similar to the project being proposed). Generally there should be three plans submitted to Council.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A06-Landscape Plan.





Site Analysis Plan outlining:

- 1. Views into and out of the site, identifying which views are to be blocked and which are to be retained;**
- 2. Solar access and any potential solar impacts on sites to the south;**
- 3. Areas of natural vegetation on the site, including trees and understorey vegetation;**
- 4. Slopes on the site and areas of steep land unsuitable for development;**
- 5. Recent aerial photograph.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A02-Site Plan.

Site Layout Plan showing:

- 1. Existing and proposed buildings and structures including fences;**
- 2. Existing and proposed overhead and underground services (power/water/gas);**
- 3. Existing trees and areas of natural vegetation proposed to be retained and removed on site and off-site within 10m of the property boundary (along with a schedule of botanical names and condition);**
- 4. Proposed earthworks (cut and fill areas) and retaining walls together with details of existing ground levels and proposed finished levels of the site, including mounding;**
- 5. Existing and proposed surface and subsurface drainage, including any drainage infrastructure (e.g. Ag drains and surface pits) planned to be installed;**
- 6. Measures to be used to control soil erosion during construction;**
- 7. Temporary protective structures (e.g. board crossings over existing pavements, or temporary fencing) to be used.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A03-Sediment Control and A05-Stormwater Plan. The proposed in not in conflict with this clause.





Landscape Plan including:

- 1. A Statement of Landscape Intent, which gives an explanation (in words) of what the designer is trying to achieve in the landscape plan;**
- 2. Explanation if non-compliant – if the plan intentionally does not meet Council requirements then an explanation of how it does not, and justification for why such variation should be approved, needs to be provided;**
- 3 Planting Schedule with the following information:**
 - a. Plants should be sorted into groups of like sizes (i.e. trees, shrubs, groundcovers, climbers),**
 - b. Plant names – Botanical nomenclature (genus, species and types – subspecies, varieties, forms or named cultivars) and common names,**
 - c. Plant numbers (quantity per species),**
 - d. Mature height and canopy width,**
 - e. Planting details (staking, mulching, soil depth, fertiliser, ground preparation),**
 - f. Size at time of planting (pot size for most plants, or minimum trunk calliper and minimum height for non-containerised trees) Normally Council will expect the minimum pot sizes to be met:**
 - trees 45L (400mm),
 - shrubs 4L (200mm),
 - groundcovers 1.5L (140mm),
 - native grasses - forestry tubes or virocells.
- 4. Pavement and ground treatments: types and colours of pavements should be specified, along with edge treatments. Turf or permeable paving is preferred to allow for the infiltration of rainfall and to reduce stormwater runoff. High usage areas should be paved or gravelled rather than turfed;**
- 5. Root barriers should be clearly identified where they are to be used;**
- 6. Proposed maintenance program for the first twelve (12) months, with a monthly program of proposed activities including plant replacement, fertilizing, re-mulching, pruning, etc;**
- 7. All of these plans should be at the same scale and orientation on the page, and include the following:**
 - a. Title block with project name, plan version and date,**
 - b. North point in the upper right hand corner of the page,**
 - c. Scale (1:100 or 1:200 preferred),**
 - d. Site Boundaries (using a specific line type easily identified using the key).**
- 8. Main structures on site (buildings, carports, fences, retaining walls, surfacing materials) and off-site within 10m of the property boundary. The floor plans of structures must be provided to show the locations of doors and windows.**

Attention is drawn to the submitted architectural plans produced by Prime Drafting (REF: No. 229 - 12.11.24) noting page A06-Landscape Plan.





DIVISION 4.8 INTEGRATED DEVELOPMENT:

- *Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the following approvals—*
- *Before granting development consent to an application for consent to carry out the development, the consent authority must, in accordance with the regulations, obtain from each relevant approval body the general terms of any approval proposed to be granted by the approval body in relation to the development.*
- *A consent granted by the consent authority must be consistent with the general terms of any approval proposed to be granted by the approval body in relation to the development and of which the consent authority is informed.*

4.46 What is “integrated development”?(cf previous s 91)			
Act	Provision	Approval	Comment
Coal Mine Subsidence Compensation Act 2017	s.22	approval to alter or erect improvements, or to subdivide land, within a mine subsidence district	N/A
Fisheries Management Act 1994	s.144	aquaculture permit	N/A
	s.201	permit to carry out dredging or reclamation work	N/A
	s.205	permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease	N/A
	s.219	permit to— (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat	N/A
Heritage Act 1977	s.58	approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57(1)	N/A
Mining Act 1992	ss.63, 64	grant of mining lease	N/A
National Parks and Wildlife Act 1974	s.90	grant of Aboriginal heritage impact permit	N/A





Petroleum (Onshore) Act 1991	s.16	grant of production lease	N/A
Protection of the Environment Operations Act 1997	ss.43(a), 47 and 55	Environment protection licence to authorise carrying out of scheduled development work at any premises.	N/A
	ss.43(b), 48 and 55	Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a “waste activity” but including any activity described as a “waste facility”).	N/A
	ss.43(d), 55 and 122	Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.	N/A
Roads Act 1993	s.138	consent to— (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road	N/A
Rural Fires Act 1997	s.100B	authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes	N/A
Water Management Act 2000	ss.89, 90, 91	water use approval, water management work approval or activity approval under Part 3 of Chapter 3	N/A





CONCLUSION

The proposed development has been considered against Section 4.15 'Evaluation' of the Environmental Planning and Assessment Act 1979 No 203. Specifically, the proposed is considered suitable for consent with respect to the following considerations;

(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

- The proposed has not been determined as likely to have any significant adverse impacts with regards to both the natural and built environments, and social and economic impacts in the locality

- **Environmental impacts on both the natural and built environments:**
 - o Comment – The envisaged use of sustainable construction techniques and drought tolerant planting will minimise disruption to natural landscapes and reduce erosion.
- **Social impacts:**
 - o Comment – The new dwelling will offer a permanent living space for a local family and contribute to social cohesion in a growing community.
- **Economic Impacts:**
 - o Comment – The nature of the proposal seeks to add housing to the local regional economy. The addition of permanent residents through this dwelling will indirectly increase demand for local goods and services. The construction of the proposed will also contribute to local economic activity for building and trade industries.
- **Hazards or Risks:**
 - o Comment – Landslip bushfire risk were identified amongst the potential site constraints. The appropriate mitigation measures will be taken place during the construction stage. As a result, the development is deemed acceptable, ensuring the safety and well-being of its residents and the surrounding community.
- **Native Vegetation:**
 - o Comment – The proposed is expected to add to the native canopy and grass volume of the local area. Multiple native trees and native grasses are proposed to augment connections with existing surrounding native vegetation.
- **Amenity Impacts:**
 - o Comment – The proposed is a dwelling of architectural merit and is envisaged to bolster the beauty of the local built environment while mitigating hydrological and ecological impacts. It is anticipated that this design will stimulate further high quality development in the local area.





(c) the suitability of the site for the development	- The proposed has demonstrated compatibility with the subject site as well as careful design responsiveness to the circumstance of the site.
(d) any submissions made in accordance with this Act or the regulations,	- The proposed is not envisaged to attract significant community scrutiny or concern. Where appropriate submissions are made the applicant will consider and duly respond.
the public interest.	- The proposed is deemed to be in the public interest as demonstrated through compliance with the publicly approved statutory planning framework surrounding it. - The proposed dwelling is of high architectural quality offering visual appeal to the streetscape while enabling the residents to enjoy the bucolic regional landscape. - Efforts to protect trees, adhere to easement constraints, manage stormwater responsibly, mitigate bushfire risk and harmonize the dwelling design with the natural surroundings can resonate with those who value environmental sustainability and the preservation of local character.

