



Statement of Environmental Effects


Community association facilities and recreation area

56 Prescott Parade, Milperra



Prepared by Apotel Planning Pty Ltd – as amended February 2025



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1. Introduction and description

This Statement of Environmental Effects (SEE) has been prepared by Apotel Planning Pty Ltd in relation to land located at 56 Prescott Parade Milperra (Lot 10 DP731859) (the site).

The proposal seeks development consent for the delivery of facilities and open space for use by the Community Association relating to the residential community (primarily residents and their guests).

The proposed resident facilities and embellishment works include;

- BBQ facilities, shelters and seating
- A swimming pool
- Tennis court
- Shared paths and bicycle stands and end of trip facilities
- Landscaping
- Amenities buildings
- Ancillary structures such as fencing, retaining walls and accessways

The development of facilities is considered as ancillary to the wider residential development (facilitated through a community title) due to following.

- The facilities relate to the Community Association land which is property shared across the parties identified in the Association including residents.
- The facilities are not provided for commercial purposes, ie. the pool and courts are not provided for financial return, or to the public or those outside of the Community Association .
- The facilities are owned and operated under Community Management Statement and by-laws therein rather than the Crown or Council.
- The facilities form a component of the dominant purpose of the wider development, which is for residential housing.

The facilities are to be accessed by homeowners and residents via a secure swipe card system (located at the facility entry gates).

The SEE has been prepared pursuant Part 3 Division 1 of the Environmental Planning and Assessment Regulation 2021 (EP&AR 2021) and Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

2. Background

2.1 Approval History

Recent development approvals which relate to the proposed master planned community are outlined in the following table.

Table 1 Development approvals history

Approval history	Description
DA-1107/2019	Re-subdivision of existing 27 lots into 6 lots under Torrens title (no works).
DA 108-2020	Construction and extension of Keys Parade roadway and associated works connecting to an upgraded signalised intersection at Keys Parade and Henry Lawson Drive.
DA 370-2020	Bank stabilisation works along the Georges River, and remediation and environmental rehabilitation works.
DA 4-2020 DA 4-2020/A	Subdivision of proposed Lot 1 (proposed to be created under DA-1107/2019) into 180 residential allotments and five (5) residue lots, with bulk earthworks, construction of internal roads, drainage and associated services over three (3) construction stages, including the construction of a temporary sales office on the site fronting Prescott Pde community title subdivision creating 180 residential allotments. Minor modification to the existing approved subdivision plan to adjust lot boundaries, lot layouts and the deletion of one (1) lot, and amendment of Condition 74(b) to reflect the correct date of the Molino Stewart Flood Risk Assessment Report
796/2023	Exhibition home and temporary sales office
1515/2023	Construction of five detached dual occupancies, two attached dual occupancies and one dwelling-house on lots proposed to be created under DA-4/2020, with the subdivision of each of the dual occupancies into two (2) Torrens title lots, upon completion.
127/2024	Construction of a dwelling-house and two detached dual occupancies, with a single storey detached garage for the dual occupancy dwelling on the corner of Road 4 and Road 6, on lots proposed to be created under DA-4/2020, with the subdivision of each of the dual occupancies into two (2) Torrens title lots, upon completion.
1524/2024	Construction of publicly accessible shared cycleway and pedestrian access path along the Georges River

The proposal is to be carried on land to be registered under preceding DA-4/2020. The lot is to be registered prior to the opening and operation of the community facilities subject to this application.

2.2 Compliance Orders

There are no compliance orders known to the author relating to the property.

3. Site Analysis

3.1 Site Location and Description

The subject site is known as 56 Prescott Parade Milperra and is legally identified as Lot 49 DP 1104950.

The land subject relatively flat with slight grade towards from Road No 4 (east periphery to Road No 6 (west). The street frontage verges which have been constructed to service this portion of the master planned subdivision. The grade has been designed to allow for future stormwater flow towards the wider stormwater infrastructure.



Figure 1. -Community facility location plan



Figure 2. Proposed community facility layout plan

3.1.1 Excavation and Filling

Existing ground levels are provided under the detailed bulk earthworks design approved under DA 4-2020.

The proposal seeks to undertake minor earthworks to provide finished PAD levels for structures and batters around the periphery of the open space area. The maximum excavation depth is to occur to facilitate the pool construction.

3.2 Site suitability

3.2.1 Environmental and amenity

The considerations of the environment and amenity has been completed during the assessment of preceding determinations including DA 4/2020.

The existing trees to be retained are subject to detailed assessment in the attached Arboricultural assessment by Temporal Tree Management. The recommendations contained with the report are implemented within the design and proposed construction methodology.

The location of pool equipment and amenities have been cognisant of the potential for noise nuisance upon the adjoining residences. Further, no lighting is proposed to be installed to limit impacts on amenity and the use of the facilities after sunset.

The proposed operating hours of 8am-8pm are to be enforced via the community management statement and can be amended in the case of amenity impacts.

3.2.2 Utility services and access

The proposal seeks to utilise services provided during estate wide road building under DA 4/2020. The subject site includes an electrical substation provided as part of the wider subdivision reticulation design.

Road access- Access is provide vis road constructed as part of previous DA determinations. The proposal is not likely to result in traffic and parking impacts due to the proximity of those who have access to facilities, the ease of access to those facilities (footpath and shares paths), the adequate on-street parking spaces directly adjoining the community open space, and due to the facilities not being accessible to the public or establishment of intensive land uses eg function centres or food and drink outlets which result in spikes in peak visitation demand and visitation numbers.

4. Environmental Planning Assessment

An assessment against the relevant planning and environmental legislation is provided below.

4.1 Environmental Planning and Assessment Act 1979 (EP&A Act 1979)

4.1.1 Section 4.15 – Evaluation

Section 4.15(1) of the Act as amended specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the Act are addressed in the Table below.

Table 4. EP&A Act 1979 - Section 4.15 (1) Assessment

Clause	Assessment
<i>(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— (a) the provisions of:</i>	
<i>i) any environmental planning instrument</i>	An assessment has been provided against relevant State Environmental Planning Policies (SEPP) and the Canterbury Bankstown LEP 2023 within this statement
<i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	Not applicable as no draft environmental planning instruments are applicable to the assessment of this proposal.
<i>iii) any development control plan, and</i>	The proposal has been considered against the provisions of the Canterbury Bankstown DCP. Refer to Attachment 1 contained within this Statement.
<i>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i>	The proposed works are not in contravention to the executed VPA.
<i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i>	This report considers the requirements of the EPAR including the terms in modifying consents.
<i>(b) the likely impacts of that development, including environmental impacts on both the natural and built</i>	DA-4/2020 and DA-1515/2023 underwent a thorough assessment pertaining to any likely impacts of the development.

Clause	Assessment
<i>environments, and social and economic impacts in the locality,</i>	<p>The proposal has been designed to incorporate the arborists' recommendations that promote tree retention and long term health of 'high retention value' trees to be retained.</p> <p>Social- The establishment of a community and accessible open space/recreational facilities promotes wellbeing and creates an additional 'people place' by giving priority to human relationships.</p>
<i>(c) the suitability of the site for the development,</i>	<p>DA-4/2020 and DA-1515/2023 underwent a thorough assessment pertaining to the likely impacts of the development. The proposal remains unaltered from that approved in terms of expected built form and outcome.</p> <p>The proposed facilities and scale of development are appropriate for the site and its context.</p> <p>The 'land specific' constraints have been considered under those previous determinations including land remediation, land clearing and adequate provision of utility infrastructure. Remediation of the subject land has been undertaken and a Site Audit report validating the completed works is enclosed within this application.</p>
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	<p>It is envisaged that any submissions made in relation to the proposal will be appropriately assessed by Council.</p>
<i>(e) the public interest.</i>	<p>The proposal seeks the delivery of open space for residents which reduces the burden on Council owned and operated open space and facilities.</p> <p>The creation of a local destination for residents and their guests improves social interaction and opportunities for recreation.</p>

4.2 Environmental Planning & Assessment Regulation 2021

The proposal remains consistent with the regulations applying to the development application.

4.3 Community Land Development Act 2021 & Community Land Management Act 2021

The proposed facilities are provided as part of the community scheme which includes the wider residential development facilitated by preceding approvals and future application for housing.

Community schemes in NSW are governed by two principal Acts, the Community Land Development Act 2021 and the Community Land Management Act 2021.

The Development Act facilitates the subdivision and development of land with shared property, setting the requirements for registration of plans, the structure and requirements to facilitate a community scheme and related governance including a community association, a Community Management statement and related by-laws.

The operational requirements of the facility will be governed by the Community Association under by laws contained within the Community Management Statement. Operational requirements include the hours of access/use of facilities, security measures, maintenance regime and general guidelines around maintaining amenity for nearby neighbours.

4.4 State Environmental Planning Policies

4.4.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 Water catchment

These provisions apply as the site is within the Georges River Catchment.

The relevant provisions and commentary is provided below.

6.6 Water quality and quantity

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

- (a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,
- (b) whether the development will have an adverse impact on water flow in a natural waterbody,
- (c) whether the development will increase the amount of stormwater run-off from a site,
- (d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,
- (e) the impact of the development on the level and quality of the water table,
- (f) the cumulative environmental impact of the development on the regulated catchment,
- (g) whether the development makes adequate provision to protect the quality and quantity of ground water.

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

- (a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and
- (b) the impact on water flow in a natural waterbody will be minimised.
- (3) Subsections (1)(a) and (2)(a) do not apply to development on land in the Sydney Drinking Water Catchment.

WSUD infrastructure have been incorporated into the bulk earthworks and civil infrastructure works completed per the approved under preceding applications including DA 4-2020. The proposed lots are to connect to the precinct wide road drainage infrastructure which includes water quality measures and rehabilitated riparian areas. The proposal is consistent with the anticipated development outcomes assumed under the granted approvals.

6.8 Flooding

- (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.
- (2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not—
 - (a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or
 - (b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.

The land is subject to earthworks under DA 4-2020 which have been informed by detailed flooding assessment facilitated under that DA. The proposal seeks consent to develop land above the 1:100-year riverine flood level (including climate change model assumptions). The proposal is consistent with the anticipated development outcomes and assumptions assumed under the granted approvals.

6.9 Recreation and public access

- (2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following—
 - (a) the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation,
 - (b) new or existing points of public access between natural waterbodies and the site of the development will be stable and safe,

(c) if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.

(3) This section does not apply to development on land in a regulated catchment if the land is in a special area under the Water NSW Act 2014.

The VPA executed under preceding rezoning and development consents provides enhanced public access to previously restricted foreshore areas. The land dedication and works required under the VPA will provide access to the foreshore for existing and new communities.

The proposal includes the delivery of open space and facilities to the community association members, reducing the demand of Council facilities for the emerging local population.

4.4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

4.1 Object of this Chapter

(1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.

(2) In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—

(a) by specifying when consent is required, and when it is not required, for a remediation work, and

(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and

(c) by requiring that a remediation work meet certain standards and notification requirements.

SEPP requires that remediation works must be carried out in accordance with a Remediation Action Plan (RAP) as approved by the consent authority and any guidelines enforced under the Contaminated Land Management Act 1997.

A site contamination assessment and subsequent Remedial Action Plan have been developed under previous development applications DA 1107-2019 and DA 4-2020 respectively (refer to enclosed Contamination Assessment Report and Remedial Action Plan prepared by Sullivan Environmental Services).

Remediation of the subject land has been undertaken and a Site Audit report validating the completed works is enclosed within this application. As such, the development complies with clauses (Including Clause 4.1 and 4.6) of the Resilience and Hazards SEPP.

4.4.3 State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate is required for pools over the threshold capacity of 40,000 litres was associated with residential accommodation. As such, a BASIX certificate for the pool is not required as advised by Canterbury Bankstown Council.

4.5 Canterbury Bankstown Local Environmental Plan 2023

The Canterbury Bankstown Local Environmental Plan 2023 (Canterbury Bankstown LEP) is the primary planning instrument applicable to the subject site. The following table provides applicable clauses from the Canterbury Bankstown LEP.

Table 6. Canterbury Bankstown LEP – Compliance Table

Clause	Assessment	Comply
Part 2 Permitted or prohibited development		
Land use zone - Zone R2 Low Density Residential	<p>The proposed works are considered as ancillary to the wider residential development facilitated through the initial subdivision and subsequent housing development proposals. The development is considered ancillary due to following;</p> <ul style="list-style-type: none"> - The facilities relate to the Community Association land which is property shared across the parties identified in the Association including residents. - The facilities are not provided for commercial purposes, ie. the pool and courts are not provided for financial return, or to the public or those outside of the Community Association . - The facilities are owned and operated under Community Management Statement and by-laws therein rather than the Crown or Council. - The facilities form a component of the dominant purpose of the wider development, which is for residential housing. 	Yes
<p>Land Use Zoning Objectives</p> <p>The relevant objectives of the R2 Low Density land use zone are:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment. • To ensure suitable landscaping in the low-density residential environment. • To minimise and manage traffic and parking impacts. 	<p>The proposal is considered ancillary to residential development. The proposal is consistent with zone objectives in that;</p> <ul style="list-style-type: none"> - It provides landscaped areas and promotes a high standard of urban design and amenity 	Yes

Clause	Assessment	Comply
<ul style="list-style-type: none"> To minimise conflict between land uses within this zone and land uses within adjoining zones. To promote a high standard of urban design and local amenity. 	<ul style="list-style-type: none"> The proposal is not likely to result in traffic and parking impacts due to the proximity of residents who have access to the facilities. Adequate on-street parking spaces are directly adjoining the community open space which is deemed acceptable considering the low demand for vehicular parking considering the facilities are a component of the Community Association which includes residential landowners and those bound by the Community Management Statement. The facilities are not wider public facilities where visitation numbers are unpredictable. The master planned estate includes a network of footpaths and cycleways which provide ease of access to the facility for residents and their visitors. Bicycle parking and end of trip facilities are also provided. The proposal does not contain intensive uses which result in peak visitation demand eg function centres or food and drink outlets. The proposal is unlikely to result in land use conflicts due to the considered siting and setbacks between the facilities to residential dwellings. 	
Part 4 Principal Development Standards		
<p>4.1 Minimum subdivision lot size for community title schemes</p> <p>(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 2021 of land in any of the following zones—</p>	<p>The proposal does not require land subdivision as the parent lot has been created under a previous approval.</p>	<p>N/A</p>

Clause	Assessment	Comply
<p>(a) Zone R2 Low Density Residential, but does not apply to a subdivision by the registration of a strata plan.</p> <p>(3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the Community Land Development Act 2021) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p> <p>(4) This clause applies despite clause 4.1.</p>		
<p>4.3 Height of Buildings</p> <p>(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.</p> <p>(2D) In this clause—</p> <p>wall height means the vertical distance between the ground level (existing) and the higher of—</p> <p>(a) the underside of the eaves at the wall line, or</p> <p>(b) the top of the parapet or the flat roof.</p>	No proposed buildings or structures exceed the maximum building height.	Yes
<p>4.4 Floor space ratio</p> <p>(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.</p>	Complies.	Yes
<p>5.10 Heritage conservation</p> <p>(5) <i>Heritage assessment</i></p> <p><i>The consent authority may, before granting consent to any development—</i></p> <p>(a) <i>on land on which a <u>heritage item</u> is located, or</i></p> <p>(b) <i>on land that is within a <u>heritage conservation area</u>, or</i></p> <p>(c) <i>on land that is within the <u>vicinity of land referred to in paragraph (a) or (b)</u>,</i></p>	<p>The site is in the vicinity of the listed 'Milperra Soldier Settlement (former)' being I29 in Schedule 5 of the LEP.</p> <p>The proposal does not impact on the heritage significance of the Milperra Soldier Settlement. No works are proposed to Pozieres Ave alignment or configuration.</p>	Yes


Clause	Assessment	Comply
<p>5.21 Flood planning</p> <p>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p> <p>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</p> <p>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</p> <p>(b) the intended design and scale of buildings resulting from the development,</p> <p>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</p> <p>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</p>	<p>Consideration of flood risk was developed and influenced the design and delivery of bulk earthworks which has been approved and completed under DA 4-2020.</p> <p>The land subject to this application is not impacted by the 1:100-year Riverine flood (including climate change model assumptions).</p> <p>The site is deemed a H1 and H2 hazard which is acceptable risk for the intended uses.</p> <p>Precinct wide flood analysis concludes that the land will have access to the pedestrian and public road network which provide for evacuation per the consideration of preceding approvals and related reports. (Refer to GHD and Molino flood assessments provided under preceding approval DA 4/2020)</p> <p>The proposed structures are not deemed habitable floorspace under the NCA.</p>	<p>Yes</p>

Clause	Assessment	Comply
<p>6.1 Acid sulfate soils</p> <p>Class 5 - Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land</p>	<p>The proposal seeks to develop land categorised as Class 5 Acid Sulfate Soils.</p> <p>The proposed development consists of minor earthworks to achieve site benching and the proposed pool. The proposed excavation does not excavate land under the 5m AHD. (Approximate excavation is to 6 AHD).</p>	Yes
<p>6.2 Earthworks (2) Development consent is required for earthworks unless—</p> <p>(a) the earthworks are exempt development under this plan or another applicable environmental planning instrument, or</p> <p>(b) the earthworks are ancillary to—</p> <p>(i) development that is permitted without development consent under this plan, or</p> <p>(ii) development for which development consent has been granted.</p> <p>(3) In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following—</p> <p>(a) the likely disruption of, or the detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill and the soil to be excavated,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of the fill material and the destination of the excavated material,</p> <p>(f) the likelihood of disturbing relics,</p>	<p>Site levels have been provided during bulk earthworks and road construction completed in accordance with DA 4-2020.</p> <p>The proposed development consists of minor earthworks to achieve site benching and pool construction.</p> <p>Due to the minimal proposed earthworks, the proposal does not increase risks associated with drainage or archaeology.</p>	Yes

Clause	Assessment	Comply
<p>(g) the proximity to, and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>		
<p>6.3 Stormwater management and water sensitive urban design</p> <p>(1) The objective of this clause is to avoid or minimise the adverse impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland, waterways and ground water systems.</p> <p>(2) This clause applies to land in Zones R2, R3, R4, B1, B2, B4, B5, B6, B7, IN1, IN2, SP1, SP2, RE1 and RE2.</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <p>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</p> <p>(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on the land on which the development is carried out, adjoining properties and infrastructure, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact, and</p> <p>(d) includes riparian, stormwater and flooding measures, and</p> <p>(e) is designed to incorporate the following water sensitive urban design principles—</p>	<p>Stormwater from the land will be connected to the precinct wide drainage network.</p> <p>The precinct wide stormwater management system approved under DA 04-2020 incorporates the required WSUD measures to mitigate impacts of stormwater runoff to native bushland and receiving waters.</p> <p>Rainwater storage tanks and reticulation is proposed for the proposed WC.</p> <p>A high proportion of the land will consist of permeable surfaces.</p> <p>The proposed development complies with the runoff assumptions within the approved precinct wide drainage infrastructure design.</p>	Yes

Clause	Assessment	Comply
<p>(i) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments,</p> <p>(ii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes,</p> <p>(iii) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity.</p>		
<p>6.17 Development at Riverlands Golf Course</p> <p>(1) This clause applies to the following land at Milperra, known as Riverlands Golf Course.</p> <p>(2) The objectives of this clause are as follows—</p> <p>(a) to ensure development on the site reflects the low density residential character of the surrounding area,</p> <p>(b) to ensure traffic generated by development of the site does not adversely affect the efficiency and safety of Henry Lawson Drive and surrounding local roads,</p> <p>(c) to ensure development protects and conserves the cultural heritage, ecological and habitat values of the site and the scenic values of the surrounding waterways and riparian corridors,</p> <p>(d) to ensure development integrates with the landform, vegetation, overland flow path and landscape of the site.</p> <p>(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied of the following—</p> <p>(a) the development is consistent with the low density residential scale and character of the surrounding area,</p> <p>(b) the development will not significantly impact on the efficiency and safety of the surrounding road network,</p>	<p>A number of these considerations were addressed during the assessment of preceding applications including DA 4-2020.</p> <p>The proposal is in accordance with the anticipated delivery of community association land and facilities.</p> <p>b) The proposal is not expected to generate traffic due to the proximity of the facility to the community association members.</p> <p>The proposed shared pathways integrate with the road, pedestrian and cycle networks being delivered throughout the subdivision (including connections to the Georges River Foreshore) and wider Milperra neighbourhood area.</p> <p>c) Relevant matters were considered and addressed during the detailed reporting and assessment phase of preceding proposals including DA 4-2020. The land on which this proposal contains remnant trees. The recommendations from the enclosed report by Temporal Tree management have been adopted during the design phase.</p> <p>The proposed structures are of minimal scale, and of material to ensure minimal visibility.</p>	Yes

Clause	Assessment	Comply
<p>(c) the development of the site integrates with the road, pedestrian and cycle networks of the surrounding established Milperra neighbourhood area,</p> <p>(d) the development, including lots created by the development, will be compatible with the topography of the site and integrate with the landform, vegetation and landscape of the site,</p> <p>(e) the development is appropriate given the environmental capabilities of, and environmental constraints that affect, the site including flood risks, land contamination, acid sulfate soils and bush fire risks,</p> <p>(f) the development will protect the cultural heritage values of the site and the scenic values of the surrounding waterways and riparian and biodiversity corridors,</p> <p>(g) the development will protect and conserve the ecological communities and areas on the site,</p> <p>(h) adequate provision has been made for protecting and conserving hollow bearing trees on the site,</p> <p>(i) adverse impacts of stormwater on the site, or caused by stormwater runoff on adjoining properties, native vegetation, wetlands or waterways, are properly managed or mitigated,</p> <p>(j) lots created by the development will be compatible with the stormwater management measures on the site.</p>	<p>The proposal does not contravene objectives that relate to heritage and ecological assets, environmental quality and scenic values.</p> <p>d) The proposal does not seek to alter the topography or geographical features of the site and integrates with the landform as set by recent bulk earthworks completed in accordance with preceding approvals (DA 4-2020). The proposal does consist of minor earthworks to provide appropriate design levels for pathways, the pool and landscaping (refer to landscaping Plan by Green Tree Design).</p> <p>e) The proposal is appropriate given the environmental capabilities and environmental constraints that affect. As per the recommendations of flood assessment completed during DA 4-2020 the proposed site is not affected by Riverine flooding.</p> <p>The proposed buildings are not considered habitable and adhere to the risk profile contained within the DCP.</p> <p>The proposal does not depart from the intended outcomes considered in previous DA approvals including the Riverlands DA Flooding Assessment Subdivision Report prepared by GHD dated 23 March 2022. Flood evacuation routes assessment is set out in the Molino flood assessment provided under preceding approvals for the site.</p> <p>In terms of risk, the site subject to this application is not mapped (see below) as containing Category 1, 2 or 3 Vegetation or the Vegetation Buffer as Canterbury Bankstown Council's Bushfire Prone Land Map.</p> <p>The overall assessment of risk is contained within the enclosed Building Code & Bushfire Hazard Solutions Pty Limited prepared for preceding DA's facilitating the land for which this proposal relates.</p>	

Clause	Assessment	Comply
	<p>It is therefore considered the threat of bushfire to the proposed development is negligible. No BAL level of construction applies to the proposal.</p>  <p>The site is not subject to other natural hazards or environmental constraints.</p> <p>(f) The site is not located near heritage items or a conservation area. The nearby Milperra Soldier Settlement is located over 100m from the subject site. The proposal does not seek to alter the road design or historical naming of the listed existing public road layout.</p> <p>(g) Tree removal is being undertaken in accordance with preceding approval DA 4-2020 and the enclosed Arboricultural assessment by Temporal Tree Management. Precinct wide ecological qualities have been considered during the assessment of that proposal and include foreshore rehabilitation works, flora and fauna assessments against Councils policies, State and Federal legislative requirements. The proposed development will not impact ecological communities outside to that expected under previous detailed studies and assessments.</p> <p>(i) and (j) The proposal will include a rainwater storage and reuse potential while overflow and</p>	

Clause	Assessment	Comply
	other runoff will be directed to the wider drainage network which will include WSUD measures per consent DA 4-2020 and other approvals. The proposed development complies with the runoff assumptions within the approved precinct wide drainage infrastructure design	

4.6 Canterbury Bankstown Development Control Plan 2023

The Canterbury Bankstown Development Control Plan 2023 (CBDCP) applies to the site.

Refer to Attachment 1 for assessment against the relevant guidelines.

4.7 Cbcity 2036

The CBCity 2036 report reflects the community's aspirations obtained through extensive consultation conducted by Council from 2019 to 2022. The report lists seven key 'destinations' which promote the vision for the community, including business owners and supporting government agencies.

Destinations which relate to the proposal include:

- Healthy and active- parks and open space
- Clean and Green – sustainability, protection and water quality
- Liveable and distinctive- sustainable, attractive and affordable built environment
- Moving and Integrated- accessibility throughout the city

The proposal provides for the provision of additional open space and facilities for residents and their guests per the Community Management Statement. Cycle paths and open space areas are also provided outside the areas allocated to the resident community facilities, providing a local destination as through site links for active recreation.

The shared path connectivity throughout the subdivision and to the Georges River foreshore (under previous consents) provide opportunities for passive recreation and rehabilitated natural areas; key components of the local communities needs and aspirations.

4.8 Bankstown Open Space and Strategic Plan 2022

The purpose of the Open Space Strategy is to provide a framework for protecting, enhancing and managing open space now and into the future. It identifies objectives and strategies which will deliver accessible, equitable, diverse, quality, sustainable, and efficient provision of open space to meet the current and future needs of the community.

The Strategy primarily considers open space that is owned by government, however the principles relating to the provision of open space applicable to the proposal are detailed below.

- Catering for a growing population
- Promoting recreational activities
- Improving accessibility

The master planned community is projected to increase the local population by approximately 1,000 residents. The provision of open space and facilities for the community reduces the demand on Council owned assets. Further, it provides a destination for the wider community in terms of lifestyle. The facilities encourage residents and their guests to recreate, meet and socialize; improving wellbeing and establishing a community relationship amongst neighbours.

5. Conclusion

This SEE provides an assessment against relevant statutory policies, the DCP and Councils strategic aspirations for its community. The assessment concludes that the proposal to provide community facilities should be supported for the following reasons.

- The proposal is consistency with the aims and objectives contained within the Canterbury Bankstown LEP 2023 and Development Control Plan 2023.
- The proposal demonstrates social benefits in terms of promoting opportunities for recreation and social cohesiveness.
- The proposal does not impact the proposed estate wide treatment of stormwater, the provision of service utilities or outcomes anticipated under previous facilitating approvals and consents.
- The site considers environmental hazards and is deemed suitable for the development
- The proposed built form is of limited bulk and scale and demonstrates high-quality design
- The proposed material and finishes selections ensure product longevity and low maintenance.
- The proposal seeks to retain high value trees of good health.
- The management and operation of the facilities are governed under community title legislation and thus amenity impacts can be actively managed.
- The proposed development is in the public interest.

For the reasons outline in the suite of documents accompanying this application, it is therefore recommended Council grant development consent.