

Guidelines for Preparing a Statement of Environmental Effects

What is a Statement of Environmental Effects?

A *Statement of Environmental Effects* (SEE) is a report which explains the likely impacts of the proposal and how you will minimise these impacts. The statement includes written information about your proposal that cannot be readily shown on your plans and drawings. An SEE must be lodged with every development application (DA).

What to include?

Your *Statement of Environmental Effects* should address all issues that are applicable to your proposal. In particular, a statement of environmental effects must indicate the following matters:

- 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.

The following is a general guide to the issues relevant to different types of development proposal. However, we recommend that you check with us for any requirements that specifically relate to your proposal or the site.

Council Officers are available to attend a pre-DA lodgement meeting to discuss your proposal.

A. *Site and Context Suitability*

A Site and Context Analysis must be lodged for all DAs. A site Suitability Plan must be lodged for minor works.

Show that the site is suitable for the proposed development. Relevant considerations include:

- site constraints such as slope, flooding, geotechnical and ground water issues (provide a hydrological and geotechnical report by a qualified engineer where the proposal involves excavation exceeding 3 metres)
- whether the site is affected by bushfire hazard
- proximity to land affected by acid sulphate soils adjoining the foreshore
- proximity to transport services, shops, community and recreational facilities
- compatibility with adjoining development
- compatibility with land zoning
- size and shape of the allotment
- age and condition of buildings

B. Present and previous uses

Provide the following details:

- present use of the site
- date the present use commenced
- previous uses of the site
- uses of adjoining land
- whether the present or any previous use of the site is a potentially contaminating activity (e.g. workshop, service station, land filling, lead paint removal, termite treatment)
- a statement as to whether or not you are aware that the site is contaminated land
- whether there has been any testing or assessment of the site for land contamination

C. Development Standards

Show how your proposal complies with the relevant statutory development standards which are contained in *Willoughby Local Environmental Plan (WLEP) 2012*.

If a proposal does not comply with a relevant development standard, Council may consider a variation to the standard. An objection to a development standard can only be made in writing under Clause 4.6 of WLEP 2012. Details on how to prepare a Clause 4.6 submission can be found on Council's website at www.willoughby.nsw.gov.au.

In addition there are a number of controls contained in the Willoughby Development Control Plan (WDCP). Please refer to Council's website at www.willoughby.nsw.gov.au for access to the WDCP.

Controls mentioned in the DCP are minimum requirements that Council considers are likely to meet the intent/objectives and performance criteria of the particular design elements.

The onus rests with the applicant, in respect of an application which does not comply with a control to clearly demonstrate:

- a) understanding of the purpose/intent of the control and
- b) how the proposal will satisfy the purpose/intent and performance criteria of the Control even though these would be the non compliance.

You should submit with your Statement a table listing all of the relevant development controls and how your proposal complies (or doesn't comply if that is the case) with the controls.

D. Design Guidelines

Show how your proposal satisfies our relevant site planning and design guidelines. Relevant considerations include:

- streetscape
- topography
- local context and building character, including massing, roof design, verandahs, balconies, windows, materials and decorative detailing

- setbacks
- building envelope
- fences

Our design guidelines are contained within the Willoughby Development Control Plan. Make sure you find out which design guidelines apply to your development or site.

E. Operation and Management

Describe how the premises will operate

- type of business
- number of staff
- expected number of customers or clients
- hours and days of operation
- plant, machinery, production processes
- type and quantity of goods handled, raw materials, finished products, waste products
- arrangements for transport, loading and unloading of goods (give details frequency of truck movements and size of vehicles)
- hazardous materials and processes
- noise control
- complaints management

Council may require a detailed *Plan of Management* for proposals which may adversely impact on residential amenity. A *Plan of Management* may therefore be required for proposals such as entertainment facilities, boarding houses, backpacker accommodation and taxi depots. A *Plan of Management* must show how your activity will be managed to minimise adverse amenity impacts.

F. Access and Traffic

If your proposal is likely to generate traffic you must submit a traffic impact assessment report prepared by a qualified transport consultant. If your proposal is not a traffic generator you will still need to show that there is adequate provision for access, including:

- vehicle access to a public road (indicate grade)
- parking calculations
- resident, staff, customer, client and visitor parking arrangements
- existing public transport services
- proposed traffic management measures to resolve any conflicts between vehicles, pedestrians and cyclists
- pedestrian amenity (paving, seats, weather protection, security lighting)
- proposed bicycle facilities (racks, lockers, showers)

G. General Accessibility

Show how the proposed development provides easy access and usable areas for everyone in accordance with the Disability Discrimination Act. Consider the needs of people with

walking difficulties or sensory impairments, wheelchair users and people with young children. You should consider:

- parking arrangements
- access to and within the development
- toilet facilities

Certain types of developments may require additional information (e.g. aged persons housing). The Building Code of Australia and the Willoughby Development Control Plan provide further guidance.

H. Privacy, views and sunlight

Show how the proposed development will address privacy, views and sunlight access.

Visual Privacy

- window placement relative to adjacent dwelling and common areas
- views between living rooms and the private yards of other dwellings
- use of screen planting, hedges, walls or fences to improve privacy
- headlight glare, light spillage

Acoustic privacy

- placement of active use outdoor areas relative to bedrooms
- separation of roads, parking areas and driveways from bedroom and living room windows
- noise transmission between dwellings
- measures to mitigate external noise sources (e.g. traffic noise, placement of air conditioners, exhaust systems, pool pumps)

Views

- impact of the proposed development on views from adjoining or nearby properties
- design options for protecting views
- views from the proposed development

Sunlight

- provide an analysis of your shadow diagrams prepared by your architect or draftsman. Consider shadows from adjoining buildings as well as the proposed development. Elevation shadow diagrams may be required to demonstrate impacts on windows of adjoining buildings.

I. Air and noise

Show how the proposal will not cause, or be affected by, air or noise emissions:

Air

- identify existing or proposed sources of odour or fumes (on-site or nearby): industries, food premises, exhaust systems, waste storage, oil or wood burning stoves or heaters
- identify proposed mitigation measures: placement and height of flues or chimneys, location of waste storage areas and compost heaps

Noise

- where noise is a major design issue, a report prepared by a qualified acoustic consultant will be required.
- existing and proposed noise sources (on-site and nearby): main roads, industries, transport terminals, loading bays, heavy vehicles, restaurants, entertainment facilities, clubs, hotels, amplified music systems, car parks, ventilation and air conditioning units, pumps and pool filters
- proposed noise reduction measures: noise barriers, building layout and setback, room layout and window placement, building materials, insulation, double glazing
- construction noise: hours of operation, type of equipment, maximum noise levels, compliance with EPA guidelines

J. Drainage

Show how the proposal will deal with all aspects of drainage on the site:

- have you proposed measures to maximise infiltration and minimise water runoff? (e.g. porous pavements, mulching and ground covers, low water demand native plants, rainwater tanks, stormwater reuse).
- stormwater drainage: proposed management controls for flows entering within and leaving the site, proposed on-site detention calculations prepared by a consulting hydraulic engineer, justification that the proposed design measures will not increase stormwater runoff or adversely affect flooding on other land
- easements: provide copies of letters of intention to grant interallotment drainage easements across downstream properties
- local flood mitigation measures

K. Erosion & Sediment Control

Show how you propose to prevent erosion and control sediment on the site, including:

- soil and erosion hazard characteristics: potential for impact on adjacent land and waterways
- Explain how your erosion and sediment control strategy will work. Consider areas requiring special management, including proposed dust control measures and proposed site maintenance strategy

L. Heritage

A Heritage Impact Assessment is required for any work to a heritage item or a building within a Heritage Conservation Area that requires consent under the Willoughby Local Environmental Plan 2012. Where a Heritage Statement is required it must be prepared by a suitably qualified professional heritage advisor. The report must address:

- historical development of the site
- description of the item and its setting (e.g. garden, fences, ancillary buildings, etc)

- contribution to the streetscape: height, scale, mass, setback, fenestration, architectural style and period
- heritage significance (use Heritage Manual criteria)
- affect of proposal on the heritage significance of the building and its setting
- design options and rationale for the preferred option
- relevant conservation principles in accordance with ICOMOS Burra Charter

The NSW Heritage Manual and the Burra Charter can be obtained from the NSW Heritage Office.

M. Environmental Sustainability

Show how the proposal will meet the minimum sustainability guidelines mentioned under the Willoughby DCP.

Relevant considerations include –

- the need to submit a sustainability scorecard or ecological sustainable development (ESD) report as required by the WDCP.
- the need to submit additional details as specified in WDCP.
- the need to submit a BASIX certificate (for dwellings and dual occupancies)

Sustainability scorecard and ESD reports need to cover sustainability measures relating to

- atmosphere
- greenhouse gas abatement
- indoor environment quality
- biodiversity
- use of building materials
- waste
- water
- noise
- management

N. Waste

Show how the proposal promotes waste minimisation : ‘*avoid, re-use, . recycle*”

- proposed at source waste separation program and facilities: aluminium, steel, glass, plastics, food and organic waste, etc.
- proposed recycling collection from hotel, entertainment, commercial and industrial premises
- domestic food and organic waste composting
- litter control program (for activities such as takeaway food, sporting venues, etc)
- proposed waste storage areas
- how will building and demolition waste be used, recycled or disposed?

- arrangements for hazardous building wastes such as asbestos and contaminated soil

Your Waste Management Plan should demonstrate that you have included the above objectives in your proposal.

O *Site Management*

Show how the construction site will be managed to ensure public safety and to minimise public inconvenience

- perimeter fencing to restrict public access to the construction site
- proposed hoardings or other enclosures to the site
- location of proposed site amenity facilities, storage of building materials and equipment, bulk waste containers and materials stockpiles
- how will you maintain safe pedestrian access adjacent to the site?
- access points for construction
- methods of demolition
- dust control methods

These guidelines have been prepared to assist applicants in the preparation of a Statement of Environmental Effects. A properly prepared Statement addressing the relevant items in these guidelines will enable Council Officers to assess your application and avoid delays in the processing of your application. The LEPs and DCP referred to in these guidelines are available from Council's website or on the Help and Service Counter.