



Planning Direction Pty. Ltd.
Town Planning & Development Services

STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed ground level alterations and an
upper level addition to an existing dwelling**

At

No 2 Howell Close Newport

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1.0 INTRODUCTION

This statement of environmental effects has been prepared to accompany a development application that is being submitted to Northern Beaches Council. The applicant seeks development consent to undertake the following development on land known as No 2 Howell Close, Newport:

- Ground level alterations and additions to the existing dwelling include:
 - Provide an internal stair access to the upper level and under stair storage area; and
 - Create an internal access to the dwelling from the existing double garage.
- Upper level alterations and additions include:
 - A main bedroom with ensuite and walk-through robe;
 - An additional bedroom/study;
 - A living room and wet bar area opening out onto a tiled deck facing the street; and
 - An internal staircase accessing the lower level.

The proposal has been prepared in accordance with the provisions of Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan. This statement of environmental effects is intended to assist Northern Beaches Council in its assessment of the development application and includes;

- A description of the site and the locality and a description of the proposed development; A description of the statutory framework in which the development application will be assessed inclusive of the local planning instruments and the provisions of the Environmental Planning and Assessment Act 1979; and
- Conclusions in respect of the proposed development.

This statement of environmental effects should be considered in conjunction with the development plans prepared by *Add Style Home Additions*.

2.0 SITE AND CONTEXT

2.1 Subject Site

The subject site is situated on the eastern side of Howell Close and is known as No 2 Howell Close Newport. The subject site benefits from a second street frontage to Neptune Road.



Subject Site

The subject site is legally identified as Lot 2 in Deposited Plan 229781.

The subject site is irregular in configuration and is positioned on the corner of Howell Close and Neptune Road. The subject site is relatively flat and has a total site area of approximately **705.5m²**.

Existing improvements on the subject site consists of a well-presented single storey dwelling of rendered brick and tile construction with an

attached double garage and associated outbuildings. The subject dwelling is situated within a landscaped environment and is largely obscured from vision when viewed from the street. The existing improvements are in good condition but offer limited amenity for the existing residents.



Subject Site

No trees require removal as part of the subject application.

The applicant proposes to connect into the existing drainage system on-site. No additional hard surfacing is proposed on-site. Ample green space exists at the around the dwelling to assist with natural absorption.

The subject site is not heritage listed or within a conservation zone, is not prone to flooding, is distant from bushland, coastline hazards and estuarine hazards.

2.2 Site Context

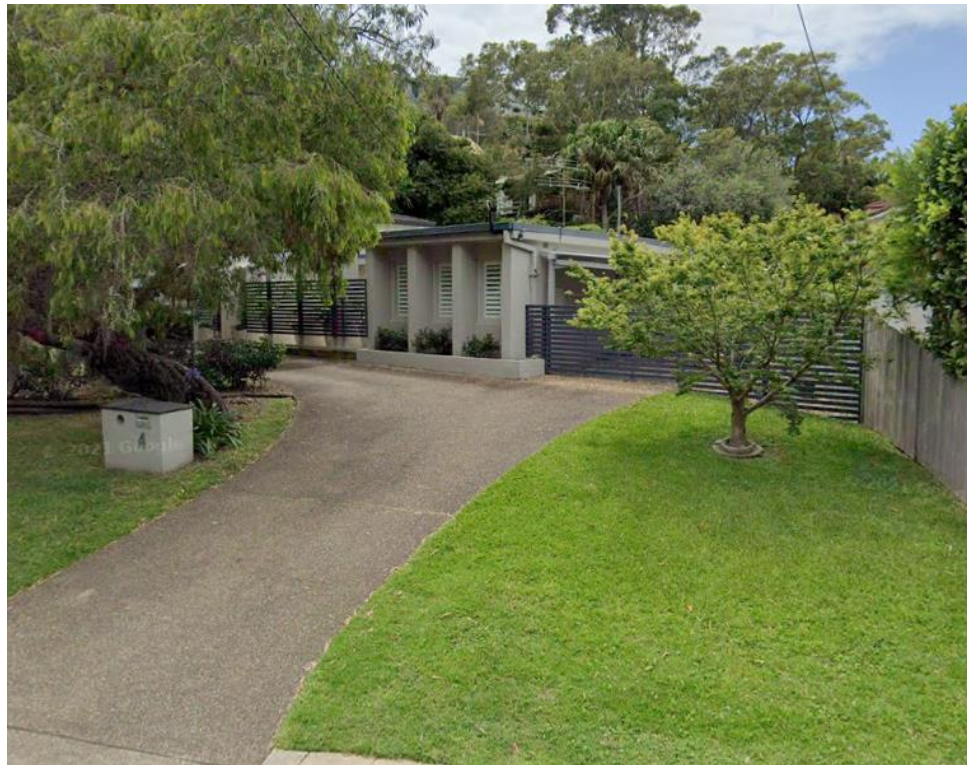
The subject site is situated within an established low density residential precinct characterised by larger single and two storey dwellings. The dwellings in the precinct are generally well presented and are designed

to take advantage of potential district views towards Newport Beach to the east of the subject site.

The subject site is relatively well-serviced by public transport, being within proximity to the single bus service travelling from Palm Beach to the Sydney CBD.

Existing development on the immediately adjoining properties comprises of the following:

- Adjoining the subject site to the north is a single storey dwelling of rendered brick and tile construction known as No 4 Howell Close. This adjoining dwelling is well setback from the common boundary with the subject site. This adjoining dwelling has a driveway and carport situated adjacent to the common boundary. The adjoining dwelling is orientated away from the subject property.



Adjoining northern dwelling – 4 Howell Close

The proposed upper level on the subject site is also well setback from the common boundary. A minor extent of additional overshadowing

will occur however the proposed upper-level addition is sufficiently distant to ensure that the extent of overshadowing is minimal.

No privacy loss arises in this instance given the use of highlight type and obscure glass windows in the upper-level side elevations.

- Adjoining the subject site to the east is a two storey dwelling of brick and tile construction known as No 46 Neptune Road. This eastern adjoining dwelling has its orientation away from the subject dwelling as it fronts Neptune Road and benefits from a large separation between dwellings. The extent of separation between the properties, the orientation of the property and the modest scale of the proposed upper-level addition ensures that there will be minimal issues arising in terms of privacy loss and overshadowing impacts. This adjoining dwelling sits slightly higher than the subject site ensuring there will be no privacy implications because of the proposed addition.



View of the adjoining eastern dwelling – 46 Neptune Road

3.0 PROPOSED DEVELOPMENT

The applicant seeks development consent to undertake the following at No 2 Howell Close Newport:

- Ground level alterations and additions to the existing dwelling include:
 - Provide an internal stair access to the upper level and under stair storage area; and
 - Create an internal access to the dwelling from the existing double garage.
- Upper level alterations and additions include:
 - A main bedroom with ensuite and walk-through robe;
 - An additional bedroom/study;
 - A living room and wet bar area opening out onto a tiled deck facing the street; and
 - An internal staircase accessing the lower level.

Only minor works are proposed to the existing ground level of the dwelling. The proposed upper level has been centred over the lower level and is to incorporate similar finishes to the lower level.



Artists Impression - Proposed Howell Close Elevation

3.1 Design Approach

The proposed alterations and addition to the dwelling will improve the quality of living space on-site to meet the growing needs of the residents. The proposed addition is modest in size when compared to other large dwellings in the immediate vicinity of the subject site. The proposed addition has been suitably designed to integrate with the existing dwelling.

The proposed addition is contained over the lower-level footprint and has been suitably indented along all elevations and articulated to present well to the street frontages. The proposal includes a conventional pitched roof and the upper level addition maintains a consistent roof profile with that of the lower level.

The proposed upper level is reasonably well setback from all boundaries and does not encroach into the street setbacks.

The proposed upper-level addition will maintain a low profile when viewed from the street. The subject dwelling is not situated within a recognised view corridor and won't detract from any nearby views from adjoining dwellings.

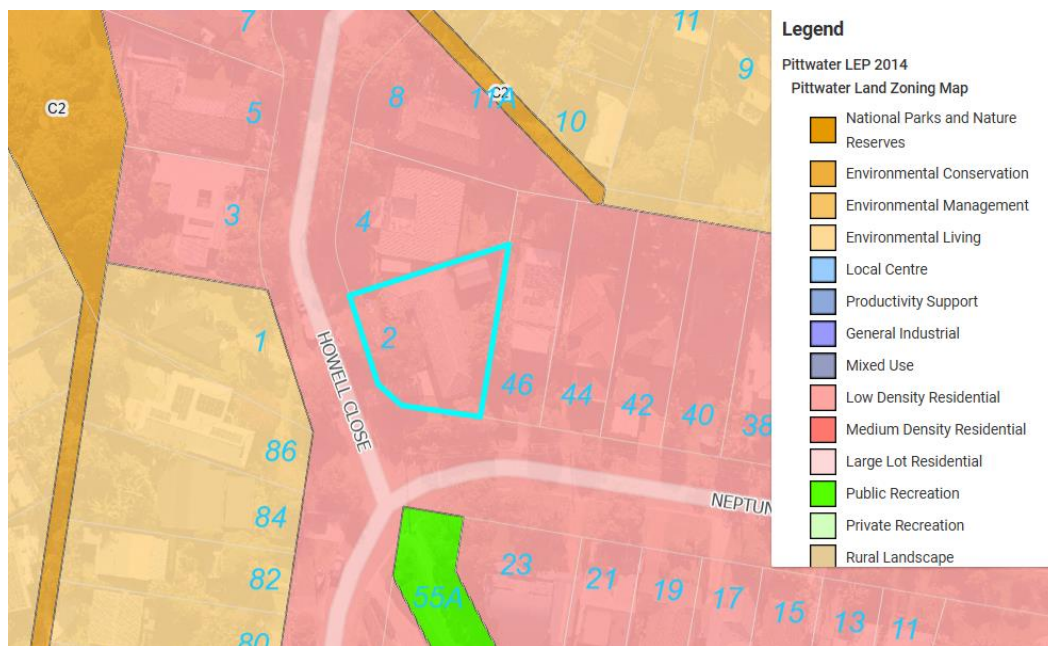
The design solution ensures that privacy issues are well resolved through design. The outlook from the proposed addition is oriented towards the street front and rear yard only.

Shadows cast by the proposed addition will generally fall in a sweeping motion within the site and partially projected towards the adjoining eastern dwelling. The existing separation between dwellings will ensure that privacy and overshadowing is well resolved.

4.0 PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

4.1 Zoning and Zone Objectives

The subject land is zoned R2 Low Density Residential pursuant to Pittwater LEP 2014.



Extract from the zoning map

A dwelling is defined to mean *a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.*

The proposed works/use are ancillary to a dwelling and complies with the above definitions. The proposal is permissible in the zone with development consent.

The specified zone objectives for the R2 zone are as follows:

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

Comment:

The salient elements of this assessment follow:

- The proposed development provides an enhanced level of amenity to the residents on-site by providing additional floor space on an underutilised parcel of land. No change in intensification of the use of the dwelling is proposed. A low impact residential development is proposed on-site. Ample green space will be retained on-site, particularly in the rear yard.
- The issues of external amenity and the relationship of the development to the adjoining properties have been addressed previously in this statement of environmental effects. The proposal is appropriate in this regard.
- The urban design, streetscape and residential character issues relating to the development of the site have also previously been considered, the proposal is appropriate in respect of such considerations.
- There are no trees requiring removal to facilitate the proposed development ensuring that the low scale nature of the proposal is in keeping with the zone objectives which seek to lessen impacts in areas of high aesthetic appeal and to minimise disruption to the environment and existing landscape.
- The proposed development will contribute to the quality of housing stock in the precinct and act as a catalyst for future home improvements in the precinct. The proposal will therefore be consistent with desired future development character of the locality and will establish an appropriate form of housing, which is in harmony with the environment. The current application does not propose an alternate land use.

Having regard to the above, the proposal is consistent with the zone objectives and represents a form of development that by virtue of the objectives is encouraged in the locality.

4.3 Relevant Clauses of the LEP

Clause 4.3 of the LEP sets a maximum height for development in accordance with the building height map.

The building height map specifies a maximum height limit within the zone of 8.5m. The proposed development accords with the building height standard as it sits well within the 8.5m height limit.

Clause 4.4 of the LEP relates to **FSR**:

There is no floor space ratio control applicable to the site.

Clause 4.6 relates to Exceptions to development standards.

1. *The objectives of this clause are as follows:*
 - a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Comment:

The applicant is not seeking to vary a development standard as part of this application.

Clause 7.1 of the LEP relates to Acid Sulfate Soils:

The subject site is identified as being within a Class 5 acid sulphate soils area.

Accordingly acid sulphate soils do not constitute a constraint to the development of the subject site.

Clause 7.2 of the LEP relates to Earthworks:

As the proposal relates to an upper level addition contained within the footprint of the existing dwelling, no excavation of the subject site is required to facilitate the development.

Fill will not be imported onto the subject site. The extent of earthworks proposed will be negligible in this instance.

Clause 7.7 of the LEP relates to **Geotechnical hazards**:

(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:

- (a) matches the underlying geotechnical conditions of the land, and*
- (b) is restricted on unsuitable land, and*
- (c) does not endanger life or property.*

(2) This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks:

- (a) site layout, including access,*
- (b) the development’s design and construction methods,*
- (c) the amount of cut and fill that will be required for the development,*
- (d) waste water management, stormwater and drainage across the land,*
- (e) the geotechnical constraints of the site,*
- (f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

(4) Development consent must not be granted to development on land to which this clause applies unless:

(a) the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and

(b) the consent authority is satisfied that:

- (i) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or*
- (ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or*
- (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk.*

Comment:

The subject site is not situated within an area identified as a Geotechnical Hazard. Accordingly, the development is not constrained by geotechnical hazards.

Clause 7.6 of the LEP relates to **Biodiversity**

(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:

- (a) protecting native fauna and flora, and*
- (b) protecting the ecological processes necessary for their continued existence, and*
- (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

(2) This clause applies to land identified as “Biodiversity” on the Biodiversity Map.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:

- (a) whether the development is likely to have:*
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
 - (iv) any adverse impact on the habitat elements providing connectivity on the land, and*
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment:

The subject site is not identified as being subject to biodiversity considerations. The proposal will not adversely impact on the biodiversity of the area and is not constrained by biodiversity considerations. In addition, no vegetation requires removal to facilitate the proposed works on site.

4.4 LEP Summary

Map	Control
Additional Permitted Uses	N/A
Acid Sulfate Soils	Class 5
Biodiversity	N/A
Coastal Risk Planning	N/A
Foreshore Building Line	N/A
Floor Space Ratio	N/A
Geotechnical Hazard	N/A
Heritage	N/A
Height	8.5m – complies
Land Application	N/A
Land Reservation Acquisition	N/A
Lot Size	705.5sqm
Land Zoning	R2 Low Density Residential
Urban Release Area	N/A

5.0 PITTWATER 21 DEVELOPMENT CONTROL PLAN

Pittwater 21 DCP was first adopted by Council on the 8th December 2003 and came into force on the 1st February 2004.

The DCP provides complimentary controls and considerations to the Pittwater Local Environmental Plan (LEP) 2014.

The DCP is to be read in conjunction with Pittwater LEP 2014.

5.1 Context and Site Analysis

A site analysis plan accompanies the architectural plans. A written analysis of the site and context supplements the site analysis plan under section 2 of this statement of environmental effects.

5.2 Part A- Introduction

Section D – Locality Specific Development Controls – Newport

Outcomes

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built form and natural environment.

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment. The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation.

High quality buildings designed and built for the natural context and any natural hazards.

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum.

To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land.

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;*
- ii. awnings or other features over windows;*
- iii. verandahs, balconies or window box treatment to any first floor element;*
- iv. recessing or projecting architectural elements;*
- v. open, deep verandahs; or*
- vi. verandahs, pergolas or similar features above garage doors.*

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.

Except in the Newport Commercial centre, parking structures must be

located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

Comment:

The proposed development is consistent with the desired character of the Newport locality by providing a proportionate upper-level addition which will be suitably integrated with the main dwelling in terms of architectural treatment and finishes. The proposed works are modest in the context of the locality which generally includes large dwellings of two storeys in height.

The proposed upper-level addition is positioned within the existing footprint of the dwelling and encroachments are proposed into the front setbacks.

There are no plans to alter or modify the existing parking facilities on site.

The applicant does not seek to remove trees from the subject site to facilitate the proposal.

The subject site does not have heritage significance and is significantly distant from any heritage items.

The subject site is not situated within a recognised view corridor however nearby dwellings and those opposite on the higher side of the road would potentially benefit from coastal views. The existing dwelling is positioned on the low side of the road. The proposed upper-level addition is not likely capture or interfere with any existing views from nearby or adjoining dwellings. Existing established trees across the frontage of the subject site also assist in screening the dwelling and reducing viewing opportunities.

The proposed development is compliant with the development controls established for the locality by providing a conventional design in a landscaped setting.

5.3 Part B – General Controls

B1 Heritage Controls

B1.1 – Heritage items, heritage conservation areas and archaeological sites listed in Pittwater Local Environmental Plan 2014.

Outcomes

- *Conservation of items and areas of local heritage significance*

B1.2 – Development in the vicinity of a heritage item, heritage conservation areas, archaeological sites listed in Pittwater Local Environmental Plan 2014.

Outcomes

- *Conservation of heritage items, heritage conservation areas, archaeological sites and areas of heritage significance.*

B1.3 – General

Outcomes

- *Conservation of items and areas of heritage significance.*

B1.4 – Aboriginal heritage significance

Outcomes

- *Provide protection for Aboriginal place of heritage significance or Aboriginal object.*

- *Potential Aboriginal places of heritage significance and Aboriginal objects are identified and protected.*

Comment:

The subject site does not have heritage value and is suitably distant from other known heritage items.

B2 Density Controls

B2.2 – Subdivision: Low density residential areas

- Land to which this control applies: Land zoned **R2 Low Density Residential**, E3 Environmental Management or E4 Environmental Living

Outcomes

- *Achieve the desired future character of the locality.*
- *Maintenance of the existing environment.*
- *Equitable preservation of views and vistas to and/or form public/private places.*
- *The built form does not dominate the natural setting.*
- *Population density does not exceed the capacity of local and regional infrastructure and community services.*
- *Population density does not exceed the capacity of local and regional transport facilities.*

Comment:

Subdivision is not sought as part of this application.

B4 Controls Relating to the Natural Environment

B4.22 Preservation of trees or bushland vegetation

Outcomes

- *To protect and enhance the amenity that trees and/or bushland vegetation provide*
- *To protect and enhance the scenic value and character that trees and/or bushland vegetation provide*
- *To protect, enhance and account for the contribution trees and/or bushland vegetation provide to the ecological value and biodiversity of Pittwater, including habitat for locally native*

plant and animal species, threatened species populations and endangered ecological community.

- *To promote the benefits that corridors of trees and/or bushland vegetation provide for the movement of flora and fauna.*

Comment:

No trees require removal to facilitate the proposal.

B5 Water Management

B5.1 – Water management plan

Outcomes

- *Effective management of all water and wastewater resources*
- *Protection of receiving environments downstream of all water management systems.*

Comment:

The applicant does not propose to alter existing drainage arrangements given that the proposed addition is contained within the footprint of the existing dwelling.

B5.2 – Wastewater disposal

Outcomes

- *Effective management of sewage and wastewater systems and disposal to central reticulation system.*
- *Effective management of on-site sewage and effluent systems to ensure environmental and public health protection*

Comment:

Noted.

B5.3 – Greywater reuse

Outcomes

- *Effective management of grey water treatment systems which maintain disposal to Sydney Water central reticulation system (for disposal in cases of emergency breakdown/malfunction).*
- *Effective management of on-site sewage and effluent systems to ensure environmental and public health protection.*

- *Water conservation.*

Comment: Noted.

B5.4 – Stormwater harvesting

Outcomes

- *Minimise quantity of stormwater runoff*
- *Minimise surcharge from the existing drainage systems*
- *Reduce water consumption and waste in new development*
- *Implement the principles of Water Sensitive Urban Design*

B5.7 - Stormwater management – On-site stormwater detention

Outcomes

- *Rates of stormwater discharge into the receiving environment will be maintained or reduced.*

B5.8 - Stormwater management – Water quality – Low density residential

Outcomes

- *No increase in pollutants discharged with stormwater into the environment.*
- *Development is compatible with Water Sensitive Urban Design Principles.*

B5.10 - Stormwater discharge into public drainage system

Outcomes

- *All new development is to have no adverse environmental impact at the discharge location.*

B5.11 - Stormwater discharge into waterways and coastal areas

Outcomes

- *All new development is to have no adverse environmental impact at the discharge location.*

B5.12 – Stormwater drainage systems and natural watercourses

Outcomes

- *The integrity of stormwater drainage systems, easements and natural watercourse are maintained.*
- *Stormwater flows including overland flow have continuity and are not impeded.*

B5.13 – Development on waterfront land

Outcomes

- *Protection of waterways and improve riparian health.*
- *Stormwater and creek flows are safely management*
- *Appropriate setback between waterways and development*

Comment:

Existing drainage arrangements will be maintained.

B6 Access and Parking

B6.1 – Access driveways and works on the public road reserve – Low density residential

Outcomes

- *Safe and convenient access*
- *Adverse visual impact of driveways is reduced.*
- *Pedestrian safety*
- *An effective road drainage system.*
- *Maximise the retention of trees and native vegetation in the road reserve.*

B6.3 - Internal driveways – Low density residential

Outcomes

- *Safe and convenient access.*
- *Reduce visual impact of driveways.*
- *Pedestrian safety.*
- *An effective road drainage system.*
- *Maximise the retention of trees and native vegetation.*
- *Reduce contaminate runoff from driveways.*

Comment:

The applicant does not seek to alter the existing parking arrangements on site as part of this application.

B6.5 - Off-street vehicle parking requirements – Low density residential

Outcomes

- *Safe and convenient parking.*

Comment:

Noted. The existing on-site car parking is safe, conveniently located and appropriate for the subject site.

B8 Site Works Management

B8.1 - Construction and demolition – excavation and landfill

Outcomes

- *Site disturbance is minimised*
- *Excavation, landfill and construction not to have an adverse impact*
- *Excavation and landfill operates not to cause damage on the development or adjoining property*

Comment:

Minimal excavation is required on-site to facilitate the proposed addition and to shore up the existing dwelling. As the proposed works are centred on-site, no adverse impacts to neighbours is envisaged. The importation of fill onto the site is not required.

B8.2 Construction and demolition – erosion and sediment control

Outcomes

- *Waterways, coastal areas, watercourses, drainage systems, and the public domain are protected from the transportation of sedimentation from development sites.*
- *Reduction of waste throughout all phases of development*
- *Public safety is ensured*
- *Protection of the public domain*

Comment:

Appropriate measures will be undertaken during construction to minimise disruption to surrounding residents and the natural environment. The applicant will abide by appropriate conditions of consent in this regard.

B8.3 – Construction and demolition – Waste minimisation

Outcomes

- *Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.*

Comment:

Appropriate waste management procedures will be implemented during the construction phase.

B8.4 – Construction and demolition – Site fencing and security

Outcomes

- *Ensuring public safety*
- *Protection of public domain*

Comment: Noted.

B8.5 – Construction and demolition – Works in the public domain

Outcomes

- *Protection of Infrastructure.*
- *Ensuring Public Safety.*
- *Compliance with the Roads Act 1993.*

B8.6 – Construction and demolition – Traffic management plan

Outcomes

- *Minimal disturbance to the residential community*
- *Protection of roads*

Comment: Not applicable.

5.4 Part C – Development Type Controls

C1 Design Criteria of Residential Development

C1.1 – Landscaping

Outcomes

*Achieve the desired future character of the Locality.
The bulk and scale of the built form is minimised.
A reasonable level of amenity and solar access is provided and*

maintained.

Vegetation is retained and enhanced to visually reduce the built form. Conservation of natural vegetation and biodiversity. Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

To preserve and enhance the rural and bushland character of the area. Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

Comment:

The proposed development does not erode existing landscaping on-site or adversely affect native vegetation.

No trees are proposed to be removed as part of the application. The extent of green space on-site remains substantial given the large lot size.

C1.2 – Safety and Security

Outcomes

- *Ongoing safety and security of the Pittwater community*
- *Opportunities for vandalism are minimised.*
- *Inform applicant's of Council's requirements for crime and safety management for new development*
- *Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements*
- *Identify crime and safety priority areas in Pittwater LGA*
- *Improve community safety and reduce the fear of crime in the Pittwater LGA*
- *Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety*

Comment:

The proposed development introduces improved safety and security on-site with the inclusion of the proposed upper-level addition and balcony facing the street. The residents will be able to see the street frontage from the proposed upper level thereby being able to monitor visitors to the site and people using the street.

The proposed development provides enhanced surveillance opportunities by introducing the proposed upper-level balcony.

The entrance to the building is easily identified and well lit.

C1.3 – View sharing

Outcomes

- *A reasonable sharing of views amongst dwellings*
- *Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced*
- *Canopy trees take priority over views*

Comment:

The subject site is not situated within an existing view corridor. The proposed addition will not impact on any views enjoyed by adjoining or nearby dwellings.

Views from the adjoining properties will not be impacted upon given the low-lying nature of the site and established trees around its perimeter.

C1.4 – Solar access

Outcomes

- *Residential development is sited and designed to maximise solar access during mid-winter.*
- *A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development*
- *Reduce usage and/dependence for artificial lighting*

Comment:

The adjoining properties will continue to benefit from reasonable sunlight access to their rear yard and living space in the context of site orientation and in the context of the small-scale nature of the proposed addition.

Appropriate design measures have been incorporated into the design to ensure solar access is reasonably maintained on-site and to the adjoining properties.

C1.5 – Visual privacy

Outcomes

- *Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design*
- *A sense of territory and safety is provided for residents*

Comment:

The proposed development does not result in any significant loss of privacy to adjoining dwellings.

The proposed upper-level addition to the dwelling is suitably designed to direct outlook towards the street and the rear yard. Privacy is well maintained between sites. Highlight type windows are proposed along the side elevations. The adjoining dwellings are orientated away from the subject dwelling and are well setback.

The proposal is consistent with the privacy provisions of the DCP, which seek to protect the amenity of residents.

C1.6 – Acoustic privacy

Outcomes

- *Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.*
- *Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas.*

Comment:

The proposed upper-level addition is reasonably distant from adjoining dwellings.

No adverse noise is anticipated from a typically domestic use.

C1.7 – Private open space

Outcomes

- *Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.*
- *Private open space is integrated with, and directly accessible from, the living areas of dwellings.*
- *Private open space receives sufficient solar access and privacy.*

Comment:

The proposal will not impact on the existing levels of private open space on site.

C1.10 - Building facades

Outcomes

- *Improved visual aesthetics for building facades.*

Comment:

The proposed upper-level addition improves the overall appearance of the dwelling and streetscape presentation. The façade is well articulated being setback from the lower level. The proposal is designed to complement and not detract from the existing lower level of the dwelling. The architecturally treated roof design and consistent colour scheme will add further visual interest to the property when viewed from the street.

C1.15 – Storage facilities

Outcomes

- *Provision of convenient storage with the development.*

Comment:

Opportunity for storage exists in the rooms of the dwelling and under the stairway.

5.5 11.6 Front Building Line

Outcomes

Achieve the desired future character of the Locality. (S)
Equitable preservation of views and vistas to and/or from
public/private places. (S)

The amenity of residential development adjoining a main road is maintained. (S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Vehicle manoeuvring in a forward direction is facilitated. (S)
To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

Controls

The minimum front building line shall be in accordance with the following table.

Comment:

The proposed addition maintains the current consistent building line in the street. No further encroachment is proposed.

D11.7 – Side and rear building line

Outcomes

To achieve the desired future character of the Locality.
The bulk and scale of the built form is minimised.
Equitable preservation of views and vistas to and/or from
public/private places.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access.

Vegetation is retained and enhanced to visually reduce the built form. To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

2.5 to at least one side; 1.0 for other side

6.5 rear (other than where the foreshore building line applies)

Comment:

The proposed upper-level addition complies with the controls by providing compliant side setbacks.

The proposed built form is compatible with existing dwellings and minimal impacts arise because of the design.

The proposed upper-level addition is proportionate to its boundaries and presents well to the street. The proposed side setbacks are reasonable in this instance.

D 11.9 – Building envelope

Outcomes

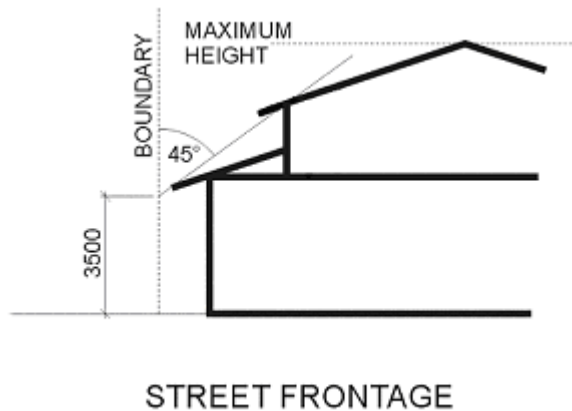
*To achieve the desired future character of the Locality.
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised.
Equitable preservation of views and vistas to and/or from public/private places.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential*

properties.

Vegetation is retained and enhanced to visually reduce the built form.

Controls

Buildings are to be sited within the following envelope:



Comment:

The proposed upper level will present as a suitable two storey dwelling to the street and accordingly comply with the building envelope control.

Landscaping

Outcomes

*Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained.*

*Vegetation is retained and enhanced to visually reduce the built form.
Conservation of natural vegetation and biodiversity.
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*

*To preserve and enhance the rural and bushland character of the area.
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management*

Controls

The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Comment:

There will be no loss of green space because of the proposal and no increase in site coverage.

A high proportion of existing landscaped and recreation area will remain to service the site.

6.0 SECTION 4.15 CHECKLIST

The following provides an assessment of the proposal against the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

(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) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

Comment:

The proposal is permissible pursuant to the Pittwater LEP 2014.

The proposed development will significantly improve the visual presentation of the built form on-site by providing a high-quality design and upgrade to the existing dwelling.

The proposal is consistent with the aims and objectives of the accompanying DCP.

(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.

Comment:

No significant adverse visual or acoustic privacy issues arise as no intensity of use is proposed. Outlook from the addition is directed towards the street and the rear and not towards adjoining properties.

The proposed addition does not give rise to any significant overshadowing impacts or privacy loss.

The proposal has favourable social and economic implications by minimising impacts and provides a quality dwelling alterations and addition to the benefit of the streetscape.

(c) The suitability of the site for the development.

Comment:

The subject site is suitably large and capable of accommodating the proposed development. The proposed addition will retain privacy levels between properties given the reasonable separation between dwellings.

(d) Any submissions made in accordance with the Act or the regulations.

Comment: Nil.

(e) The public interest

Note.

See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Comment:

No adverse matters relating to the public interest are expected to arise.

(2) Compliance with non-discretionary development standards—development other than complying development If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

(a) is not entitled to take those standards into further consideration in determining the development application, and

(b) must not refuse the application on the ground that the development does not comply with those standards, and

(c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

(3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:

(a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and

(b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note. The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

Comment:

The application has merit and is consistent with the intent of the controls given the site context.

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*
 - (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
 - (c) may consider those provisions only in connection with the assessment of that development application.*
- In this subsection, standards include performance criteria.*

Comment:

The provisions of the development control plan have been considered as part of the application. The proposal is reasonable in this regard.

- (4) Consent where an accreditation is in force A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.*
- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).*
- (6) Definitions In this section:*
 - (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and*
 - (b) non-discretionary development standards means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.*

Comment: Not applicable.

7.0 CONCLUSION

The proposal is consistent with the zoning and zone objectives. The proposal is satisfactory in consideration of the design principles prescribed under the DCP and in the main relates to improving the quality of living space on-site.

The applicant has specifically sought to provide a development with a high-quality design, which reflects contemporary planning and design initiatives.

The proposed development provides for an improved level of amenity for the residents. The proposal has been designed to enhance the appearance of the dwelling without compromising the amenity enjoyed by adjoining residents.

The proposed development does not give rise to adverse overshadowing or loss of privacy in the context of site circumstances. The proposal is reasonable pursuant to the provisions of the LEP/DCP.

In view of the above, the proposed development is appropriate, and Council approval is recommended.