

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**212 HUDSON PARADE, CLAREVILLE**

**CONSTRUCTION OF AN INCLINED LIFT**

**PREPARED ON BEHALF OF  
Mr & Mrs Micallef**

**JANUARY 2025**

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## 1. INTRODUCTION

This application seeks approval for the demolition of the existing dwelling and construction of a new dwelling house upon land at Lot 4 0 in DP 13760 which is known as **No. 212 Hudson Parade, Clareville**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Pittwater Local Environmental Plan 2014.
- Pittwater 21 Development Control Plan.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by DP Surveying, Ref No. 3469 and dated 29/04/2022.
- Architectural Plans prepared by Inclinor Services, Ref: IS-223240175-000-000 to 001; Revision A and dated 26/11/2024.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

## 2. SITE DESCRIPTION AND LOCALITY

The subject site is identified as Lot 40 in DP 13760 which is known as 212 Hudson Parade, Clareville. The site is located on the southern side of Hudson Parade. The site has an area of 1,037m<sup>2</sup> with a maximum depth of 52.12m. The site has a narrow frontage of only 10.06m to the Hudson Parade with the site widening at the rear, which has water frontage to Pittwater. The locality is depicted in the following map:



**Site Location Map**

Development Consent (DA2023/1245) for the demolition of the existing dwelling and construction of a new dwelling house and swimming pool was approved by Council on 21 February 2024. This development is currently under construction.

The site has a significant slope from the street frontage (RL18.29) towards the rear southern boundary (RL1.52). There are a number of retaining walls that dissect the site.

The existing surrounding development comprises a mix of original one and two storey dwellings and larger multi storey dwellings on similar sized allotments. The surrounding sites, particularly those on the southern side of Hudson Parade, are designed and orientated to maximise views of Pittwater to the south.

The subject site and existing surrounding development are depicted in the following aerial photograph:



**Aerial Photograph of Locality (prior to demolition and construction works)**

### 3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of an inclined lift. The inclined lift will be located towards the rear southeast corner of the site and provides access from the existing lawn level to the ground adjacent to the existing boat shed.

The inclined lift is provided with a setback of 4.635m to the eastern side boundary. All works are contained within the boundaries of the site and do not encroach the mean high water mark.

The proposal does not require the removal of any existing vegetation.

The proposal will result in the following numerical indices:

<b>Site Area:</b>	1,037m <sup>2</sup>
<b>Proposed Landscaped Area:</b>	645.8m <sup>2</sup> or 62.3% (no change)

## 4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Northern Beaches Council.

### 4.1 Planning for Bushfire Protection 2006

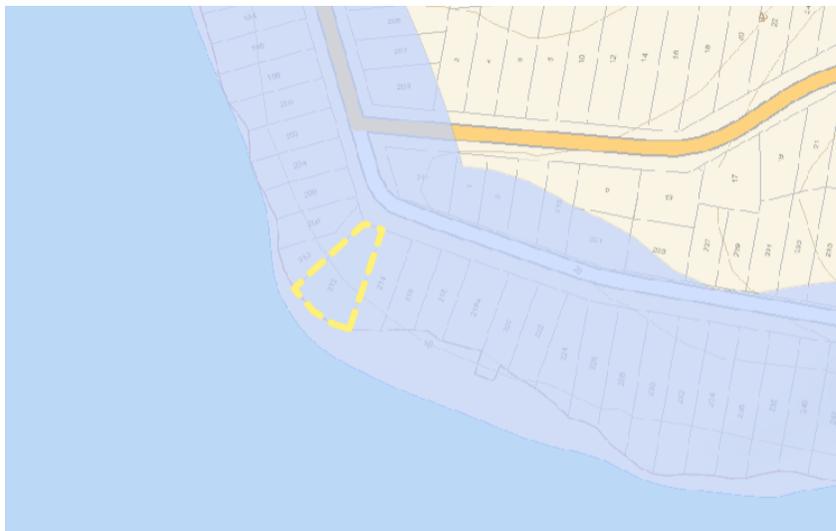
The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

### 4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 (Coastal Management) aims to provide an integrated and co-ordinated approach to land use planning in the coast zone. The following clauses of this chapter apply to the proposal:

#### Division 3 Coastal Environment Area

The proposal provides for an inclined lift ancillary to an approved dwelling house (currently under construction). The inclined lift is a lightweight structure that does not encroach the mean high water mark. The proposal does not result in any loss of public access to the waterway.



**Extract of Coastal Environment Map**

Division 4 Coastal use Area

The proposal complies with the requirements of this clause for the following reasons:

- The proposed inclined lift will not affect existing access to the foreshore for members of the public.
- The proposal will not result in overshadowing of the adjoining foreshore.
- The dwelling does not obstruct any existing views of the foreshore.
- The proposal provides for an inclined lift ancillary to a dwelling house. The inclined lift is a lightweight structure and will not have a detrimental impact on the visual amenity or scenic qualities of the locality.
- The proposal will not impact on any known Aboriginal cultural heritage, practices or places.
- The proposal will not impact on the cultural or built environment heritage.



**Extract of Coastal Use Area Map**

There are no other provisions of the SEPP that are relevant.

## 4.2 Pittwater Local Environmental 2014

The Pittwater Local Environmental Plan 2014 (LEP 2014) applies to the subject site.



**Extract of Zoning Map**

The site is zoned C4 Environmental Living. Development for the purposes of a new dwelling house and ancillary development is permissible in this zone with the consent of Council. The following Development Standards specified in the LEP are relevant to the proposed development:

### Clause 4.3 Height

This clause ordinarily provides for a maximum height of 8.5m. However, subclause 2D states:

- (2D) Despite subclause (2), development on land that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map may exceed a height of 8.5 metres, but not be more than 10.0 metres if—*
- (a) the consent authority is satisfied that the portion of the building above the maximum height shown for that land on the Height of Buildings Map is minor, and*
  - (b) the objectives of this clause are achieved, and*
  - (c) the building footprint is situated on a slope that is in excess of 16.7 degrees (that is, 30%), and*
  - (d) the buildings are sited and designed to take into account the slope of the land to minimise the need for cut and fill by designs that allow the building to step down the slope.*

The proposed inclined lift generally follows the fall of the land does not exceed the 8.5m height limit.

### **Clause 5.7 Development Below Mean High Water Mark**

The proposal does not provide for any works below mean high water mark. This clause does not apply.

### **Clause 7.1 Acid Sulfate Soils**

The site is identified as Class 5 on the Acid Sulfate Soil Map. The proposal does not require any significant excavation and is not within 500m of adjacent Class 1, 2, 3 or 4 land. There is no further information required in this regard.

### **Clause 7.2 Earthworks**

The proposal does not require any significant earthworks, with the inclined lift generally following the fall of the land. The proposal will comply with this clause.

### **Clause 7.6 Biodiversity**

The subject site is not identified on the NSW Biodiversity Values Map (purple) but is identified on Council Terrestrial Biodiversity Map (green). The proposed inclined lift does not require the removal of or impact on any existing vegetation.



**Extract of Terrestrial Biodiversity Map and NSW BDAR Map**

### **Clause 7.7 Geotechnical Hazards**

The site is classified as Geotechnical Hazard H1 on Council's Geotechnical Hazard Map. A Geotechnical Report has been prepared by Douglas Partners Pty Ltd and is submitted with the application.

### Clause 7.8 Limited Development on Foreshore Area

The site is identified on Council's Foreshore Building Line. The foreshore building line has been depicted on the architectural plans submitted with the application.

Subclause (2) provides:

- (2) *Development consent must not be granted for development on land in the foreshore area except for the following purposes—*
- (a) *the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, but only if the development will not result in the footprint of the building extending further into the foreshore area,*
  - (b) *boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).*

The proposed dwelling houses does not encroach the foreshore building line. The proposal provides for a swimming pool and associated paving that extends within the foreshore building line. This is permissible. There is no further information required this in this regard.



**Extract of Foreshore Building Line Map**

There are no other provisions of the Pittwater Local Environmental Plan 2014 that apply to the proposed development.

### 4.3 Pittwater 21 Development Control Plan 2011

The Pittwater 21 Development Control Plan (DCP) applies to the subject site.

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D5 Elanora Heights Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

#### 4.2.1 Section A Introduction

##### A4.1 Avalon Beach Locality

*The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape.*

*Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity, fewer hazards and other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, commercial, community and recreational facilities will serve the community.*

*Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Vehicular and pedestrian access into and through the locality is good. Pedestrian links, joining the major areas of open space (Angophora Reserve, Stapleton Park and Hitchcock Park) and along the foreshores, should be enhanced and upgraded. Similarly, cycle routes need to be provided through the locality. Carparking should be provided on site and where possible integrally designed into the building.*

*Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses amongst the trees and not trees amongst the houses.*

*Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.*

*Most houses are set back from the street with low or no fencing and vegetation is used extensively to delineate boundary lines. Special front building line setbacks have been implemented along Avalon Parade to maintain the unique character of this street. This, coupled with the extensive street planting of canopy trees, gives the locality a leafy character that should be maintained and enhanced.*

It is considered that the proposal is consistent with the desired character of the locality. The proposal provides for a single detached dwelling which will not be dominant in the public domain, and does not require the removal of any significant vegetation. The development presents as a single storey dwelling when viewed from the street and is comparable with the height and bulk of the adjoining properties, particularly the two adjoining properties. The proposal does not require the removal of any protected trees. Further information is provided in the Arboricultural Impact Appraisal submitted with the application. The proposal maintains an appropriate setback to the street frontage and enables landscaping within the front setback. The proposal provides for additional plantings, as detailed in the landscape plan, and which includes canopy trees and large shrubs.

The building is well modulated on all facades and incorporates colours and materials that have been designed to harmonise with the natural environment.

#### **4.2.2 Part B General Controls**

The General Controls applicable to the proposed dwelling are summarised as:

##### **B3.1 Landslip Hazard**

The site is located within a geotechnical hazard H1 area. A Geotechnical Hazard Assessment has been prepared Douglas Partners Pty Ltd. All works will be carried out in accordance with the recommendations contained in this report.

##### **B3.7 Estuarine Hazard – Low Density Residential**

The proposal does not provide for any works beneath the mean high water mark and the development is well setback from the waterway. It is not considered that any additional information is required in this regard.

##### **B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community**

The proposal does not require the removal of any protected vegetation. The proposal also provides for a detailed landscape plan which includes additional canopy plantings and large shrubs. The proposal will not impact on the Pittwater Spotted Gum Forest – Endangered Ecological Community.

### **B5.13 Development on Waterfront Land**

This clause requires:

*Any waterfront land (as defined in the Water Management Act 2000) on a property shall be retained in their natural state to: carry stormwater/flood flows, maintain aquifers, retain stability, and provide habitat functions.  
Development adjoining waterfront land is to be landscaped with local native plants.*

The proposed dwelling does not extend within the foreshore building line. The new swimming pool, which is permissible within the foreshore building line is located on a previously cleared portion of the site. The proposal does not require the removal of any protected vegetation and provides for additional plantings to further enhance the landscaped character of the locality.

### **B5.15 Stormwater**

A Stormwater Management Plan has been prepared by Development Engineering Solutions and provides for all collected stormwater to be discharged to the adjoining waterway in accordance with Council's requirements.

### **B6.1 Access Driveways and Works on the Public Road Reserve**

The proposal retains the vehicular crossing with a new driveway provided within the boundaries of the site to access the new garage. This incorporates a turning area, which is considered necessary, given site slope and sight lines, to ensure all vehicles can enter and leave the site in a forward direction. There is sufficient area within the front setback for landscaping. The proposal complies with this clause.

### **6.3 Off-Street Vehicle Parking Requirements**

The subject site required 2 parking spaces on site. The proposal provides parking for 2 cars within an integrated garage. The garage is appropriately setback from the street frontage. This complies with the numerical requirements of this clause.

### **B8.1 Construction & demolition – excavation and landfill**

The controls seek to achieve the outcomes:

*Site disturbance is minimised.  
Excavation and construction not to have an adverse impact.  
Excavation operations not to cause damage on the development or adjoining property.*

The proposal does not result in any significant excavation or fill. Appropriate sedimentation and erosion measures will be implemented prior to works commencing on site.

## **B8.2 Construction & Demolition – Erosion and Sediment Management**

The controls seek to achieve the outcomes:

*Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)*

*Reduction of waste throughout all phases of development. (En)*

*Public safety is ensured. (S)*

*Protection of the public domain. (S, En)*

Erosion and Sediment controls will be implemented prior to works commencing on site.

## **4.2.3 Part C Design Criteria**

The Design Criteria applicable to the proposed development and are summarised over as:

### **C1.1 Landscaping**

The controls seek to achieve the outcome:

*A built form dominated and complemented by landscaping.*

*Landscaping that reflects the scale and form of development.*

*Retention of canopy trees by encouraging the use of pier and beam footings.*

*Development does not result in significant loss of the urban forest.*

*Reduced risk of landslip.*

The proposal does not require the removal of any protected trees and enables sufficient area of landscaping on site. Further information is provided in the Arboricultural Impact Appraisal submitted with the application. The proposal provides for a landscape plan to further enhance the landscaped character of the locality.

### **C1.2 Safety and Security**

The controls seek to achieve the outcomes:

*On-going safety and security of the Pittwater community.*

*Opportunities for vandalism are minimised.*

The proposal provides for the main entry on the front façade of the dwelling. The entry is easily identifiable for pedestrians entering the site. The proposal complies with this clause.

### **C1.3 View Sharing**

The controls seek to achieve the 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.*

The proposed dwelling complies with the maximum 10m building height specified in the LEP. The subject and adjoining properties have views to the south of Pittwater. The properties on the southern side of Hudson Parade have water frontage and therefore generally enjoy significant views of the adjoining waterway.

Due to the significant slope of the subject and adjoining properties, those properties on the northern side of Hudson Parade do not have significant views. The proposed dwelling is designed to present as a single storey structure when viewed from Hudson Parade. This limits the height of the development as viewed from Hudson Parade and those properties on the northern side of Hudson Parade. This design ensures that the proposal will not obstruct any significant existing views from those properties on the northern side of Hudson Parade. Properties on this northern side of Hudson Parade will continue to enjoy views over those dwellings on the low side of the street. It is noted that the front portion of the dwelling sits well below the maximum height limit.

The two adjoining properties, No. 214 and 210 Hudson Parade enjoy significant views of Pittwater. The dwelling has been designed and located to comply with the foreshore building line and does not extend beyond the rear setback of the two adjoining properties. This ensures that views from the two adjoining properties are not obstructed.

The view from the public domain over the subject site is currently obscured by existing vegetation. It is not considered that the proposed development will obstruct any significant view corridors from the public domain. The proposal provides for side setbacks complying with the Council's DCP which maintains appropriate separation between the adjoining built form to enable view corridors.

### **C1.4 Solar Access**

The controls seek to achieve the 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.  
Minimal need for artificial lighting.*

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid winter.

Given the north south orientation of the allotment, the proposal will continue to maintain a minimum of 3 hours of solar access to the private open space and principle living areas of the adjoining properties.

The proposal complies with the requirements of this clause.

### **C1.5 Visual Privacy**

The controls seek to achieve the 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.*

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

The proposed dwelling has been designed to be orientated towards Pittwater. The proposal incorporates appropriate setbacks and landscaping to assist in enhancing privacy of the adjoining properties.

The proposal complies with this clause.

### **C1.6 Acoustic Privacy**

The controls seek to achieve the outcomes:

*Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited.*

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

The proposed development will not have any impact on existing acoustic privacy to surrounding properties.

### **C1.7 Open Space**

The controls seek to achieve the 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.*

The required controls to achieve the outcomes are to ensure that dwellings are provided with suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

The proposal maintains a good area of private open space in the rear yard immediately adjacent to the living areas of the dwelling. The proposal complies with this clause.

### **C1.9 Adaptable Housing and Accessibility**

The controls seek to achieve the outcomes:

*The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.*

*All members of the community enjoy equitable access to buildings to which the general public have access.*

*Housing for older people and people with a disability are accessible, adaptable and safe. (S)*

*Equitable access in the public domain.*

Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.

### **C1.12 Waste and Recycling Facilities**

The controls seek to achieve the outcomes:

*Waste and recycling facilities are accessible and convenient, and integrate with the development.*

*Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.*

There is sufficient area for the storage of waste and recycling bins. The proposal complies with the requirements of this clause.

### **C1.15 Storage Facilities**

The proposal provides for adequate storage areas on all levels of the dwelling and within the garage. The proposal complies with this clause.

### **C1.17 Swimming Pool Safety**

The proposal provides for a new swimming pool which will meet the Australian Standards for fencing and the Act.

### **C1.23 Eaves**

The controls seek to achieve the outcomes:

*Housing that reflects the coastal heritage and character of Pittwater.*

*Optimise roof forms.*

*Appropriate solar access and shading is achieved.*

This clause requires dwellings to be provided with eaves having a minimum width of 450mm. The proposal provides for a non-habitable structure and the wider eaves are not necessary.

## **4.2.4 Part D Design Criteria**

A summary of the DCP controls for the **D1 Avalon Beach Locality** is provided below:

### **D1.1 Character as Viewed from a Public Place & D1.4 Scenic Protection - General**

The proposal provides for a new dwelling and associated works on site. The proposal provides for a dwelling that presents as single storey when viewed from Hudson Parade. The dwelling maintains a maximum building height that is compatible with the existing building form and does not result in unreasonable bulk or scale. The dwelling provides for appropriate modulation and articulation and provides for an appropriate setback to the street frontage. The proposal incorporates building colours and materials that have been selected to harmonise with the natural environment.

The proposal maintains an appropriate setback to the waterfront and retains the existing vegetation within the rear setback. The proposal complies with this clause.

### **D1.5 Building Colours and Materials**

The proposal incorporates natural tones which are recessive and will harmonise with the natural environment and complement the surrounding development.

## **D1.8 Front Building Lines**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.  
Equitable preservation of views and vistas to and/or from public/private places.  
The amenity of residential development adjoining a main road is maintained.  
Vegetation is retained and enhanced to visually reduce the built form.  
Vehicle manoeuvring in a forward direction is facilitated.*

*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.*

This clause requires a minimum setback of 6.5m from the established building to the primary street frontage.

The dwelling house provides for a setback of at 11.60m as measured from the wall. The garage provides for a setback of at least 10.08m to the street frontage which complies with the numerical requirements of this clause. The two immediately adjoining properties provide for parking structures with reduced setbacks to the street frontage. The proposal complies with this clause.

## **D1.9 Side and Rear Building Lines**

The controls seek to achieve the outcomes:

*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.  
A landscaped buffer between commercial and residential zones is achieved.  
To ensure a landscaped buffer between commercial and residential zones is achieved.*

The numerical requirements of this clause require a setback of 2.5m to one boundary and 1.0m to the other boundary. A setback of 6.5m is required to the rear boundary.

The proposal provides for setbacks of 2.5m and 1.34m to the sites eastern and western side boundaries, respectively, which complies with this clause.

The proposed dwelling provides for a rear setback which complies with the foreshore building line. The proposed swimming pool is setback 9.53m from the rear boundary.

The proposal achieves the numerical requirements and objectives of this clause.

### ***D1.11 Building Envelope***

The controls seek to achieve the 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.*

The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45°.

The building envelope has been depicted on the architectural plans. Whilst there is a non-compliance with the numerical requirements of this clause, it is considered justified in this instance for the following reasons:

- The slope has a significant slope, 30%, across the building footprint. Compliance with this clause is considered unreasonable given this slope.
- The proposal complies with the maximum building height permissible under the LEP and the setback requirements of the DCP.
- The area of non-compliance relates to the rear of the dwelling and is not excessive. The non-complying component does not result in any unreasonable overshadowing nor impacts on the adjoining properties.
- The dwelling is well articulated through the use of varied setbacks, change in external finishes and balconies.
- The proposal has been designed to ensure appropriate view sharing, as discussed previously.
- The dwelling is orientated towards the waterway and will maintain appropriate level of privacy to the adjoining properties.
- The proposal does not require the removal of any protected vegetation as discussed in detail in the Arboricultural Impact Appraisal.

- The dwelling presents as a single storey dwelling when viewed from Hudson Parade. When viewed from Pittwater, the proposal provides for a dwelling that is compatible with the existing surrounding development.

#### **D1.14 Landscaped Area – Environmentally Sensitive Land**

The controls seek to achieve the 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.*

This clause requires a landscaped area of 60% of the site. The proposal provides for a landscaped area of 645.8m<sup>2</sup> or 62.3%, including the allowable variations

It is considered that the landscaping is appropriate and achieves the objectives of the clause for the following reasons:

- The proposal does not require the removal of any protected vegetation.
- There is sufficient area on site for additional landscaping as detailed in the Landscape Plan submitted with the application.
- The dwelling presents as a single storey structure when viewed from the street and provides sufficient side boundary setbacks to enable planting around the perimeter of the dwelling and adjacent to the boundaries of the site that are commensurate with the building height.
- All collected stormwater will be discharged to adjoining waterway in accordance with the Stormwater Plan and will not result in additional runoff to the adjoining properties.

There are no other provisions of the DCP that are relevant to the proposed development.

## **5. EP & A ACT - SECTION 4.15**

### **The Provisions of any Environmental Planning Instruments**

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014. The site is zoned C4 Environmental Living under the provisions of the LEP. Construction of a new dwelling and associated ancillary development is permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

There are no other environmental planning instruments applying to the site.

### **The Likely Impacts of the Development**

It is considered that the development will provide for the construction of a new dwelling house without any detrimental impact on the environment, social and economic status of the locality. The proposal does not require the removal of any protected vegetation and there is no detrimental impact on the adjoining properties.

### **The Suitability of the Site for the Development**

The subject site is zoned C4 Environmental Living and the construction of a new dwelling in this zone is permissible with the consent of Council. The resultant dwelling is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

### **The Public Interest**

It is considered that the proposal is in the public interest in that it will provide for a new dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

## 6. CONCLUSION

This application seeks approval for the construction of new dwelling, swimming pool and associated landscaping and stormwater works. As demonstrated in this report the proposal is consistent with the aims and objectives of the Pittwater Local Environmental Plan 2014. The proposed development does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed construction of new dwelling, swimming pool and associated landscaping and stormwater works at **No. 212 Hudson Parade, Clareville** is worthy of the consent of Council.

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