

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and
Additions to an Existing
Dwelling Including
Construction of a New
Driveway to John Street
and Infill of Existing
Swimming Pool

24 John Street

Avalon Beach

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Statement of Environmental Effects

Alterations and Additions to an Existing Dwelling including Construction of a New Driveway to John Street and Infill of Existing Swimming Pool

24 John Street, Avalon Beach

Prepared under instructions from

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&

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1 Introduction

This Statement has been prepared for Mr Anthony Ritchie as part of the supporting documentation for a Development Application proposing the alterations and additions to the existing dwelling, including the construction of a new driveway access from John Street and infill of the existing swimming pool on the existing site at 24 John Street, Avalon Beach.

The design of the proposed additions is innovative and of high architectural merit. The proposed works provide a site-specific design, which responds to the site's corner block location. Particular attention has been given to ensuring that the proposed dwelling affords high levels of amenity for future occupants, whilst ensuring high levels of residential amenity to adjoining properties are retained in relation to privacy, solar access and view sharing. The proposal is considered to positively contribute towards the built form quality of the housing stock established within the Avalon Beach Locality.

In addition to the Statement of Environmental Effects, the application is also accompanied by the following:

- Survey Plan prepared by Hammond Smealie & Co Pty Ltd;
- Architectural drawings including, site plan; floorplans, elevations, sections, shadow diagrams, materials and finishes schedule prepared by ChenChow Little;
- Arborist Report prepared by Graham Brooks Arboricultural Tree Services;
- Basix Certificate prepared by Damien O'Toole Town Planning Pty Ltd;
- Stormwater Management Plan prepared by Taylor Consulting
- Erosion & Sediment Control Plan prepared by Taylor Consulting
- Driveway Plan and Long Section prepared by Taylor Consulting
- Flood Risk Management Plan prepared by Waterdesign Civil Engineers
- Landscape Plan prepared by Volker Klemm Landscape Design
- Estimated Cost of Works

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979;
- Pittwater Local Environmental Plan 2014;
- Pittwater Development Control Plan 2014;
- State Environmental Planning Policy (Building Sustainability Index BASIX) 2004;

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed alterations and additions are compatible with the desired future character of the Avalon Beach locality.
- The proposed alterations and additions will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 Site Analysis

2.1 Site Description and Location

2.1.1 The Site

The application relates to Lot 3 DP 246147, 24 John Street, Avalon Beach. A location map is included as **Figure 1**.



Figure 1: Site Location (Source: Six Maps)

Number 24 John Street is a rectangular shaped allotment comprising a total site area of 696.9sqm. The site comprises a corner allotment with a primary frontage of 16.585 metres to John Street, secondary frontage to William Street 31.10 metres, eastern side boundary of 50.29 metres and western side boundary of 50.29 metres. The site is currently occupied by a single storey brick dwelling with tiled roof with an outbuilding and swimming pool within the rear yard. The existing dwelling pedestrian entrance is to William Street. The site is not currently served by any driveway access or off street parking. The dwelling is situated within an informal landscaped setting, with a number of mature trees and palm trees situated to both site frontages.



Figure 2: Photograph of the site as viewed from John Street

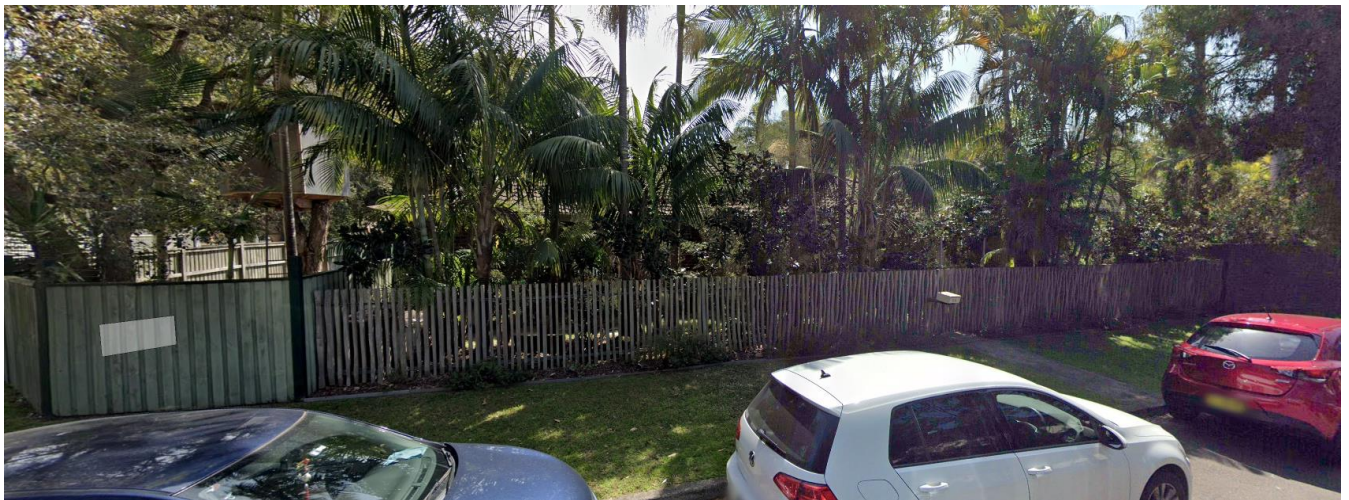


Figure 3: Photograph of the site as viewed from William Street

2.1.2 The Locality

The subject site is located within the Avalon Beach Locality. The locality is characterised by low density residential development with dwellings built along the valley floor, slopes and ridges. Development in this locality is predominantly two storey detached dwellings on 600 – 1000 square metre allotments, with up to 8000sqm in Ruskin Rowe. The residential areas are of a diverse style and architecture, a common thread being landscaped, treed frontages and subdued external finishes. The dominant feature of the Avalon Beach locality is houses setback from the street with low and no front fencing and vegetation used extensively to

delineate boundary lines. Medium-density housing is located around the Avalon Beach Commercial Centre and neighbourhood retail centres.

Neighbouring properties located on John Street and William Street are characterised by 2 storey detached dwelling houses set in informal landscaped settings.

2.1.3 Zoning and Key Environmental Considerations

The site is zoned E4 Environmental Living pursuant to the Pittwater Local Environmental Plan 2014. The key environmental considerations of the site are identified as follows:

- Acid Sulfate Soils, Class 5 & 3;
- Land identified on the Councils Biodiversity Map

All the above environmental considerations are discussed in the following sections of this report and addressed in the documentation accompanying this Development Application.

3 Description of Proposed Development

3.1 Details of the Proposed Development

This application proposes alterations and additions to the existing dwelling house including a new driveway access and associated landscaping works detailed on the architectural plans prepared by ChenChow Little as follows:

The development includes alterations to the existing dwelling layout and construction of a new ground floor addition to create the following:

- New single car garage accessed via new driveway and crossover from John Street
- 3 bedrooms
- Bathroom
- Laundry with powder room
- Dining/living room with extension. Access to the private open space area will be achieved from this room via sliding window.
- New addition to create a master bedroom suite with walk-in-robe and ensuite
- New addition to create a kitchen and family room area which can access the private open space areas.

The proposed design is depicted on the plans and montages prepared by Chenchow Little. The design is innovative, sympathetic and responsive to the topography of the site and provides for a series of floorplates (pavilions) which link the house together. The design provides a contemporary dwelling and the proposed landscape treatments will ensure that the development sits comfortably within its natural bushland setting.

The design aesthetic provides for a contemporary design outcome which directly complements the neighbouring dwellings. The proposed materials and finishes of the dwellings, incorporate external rendered blockwork with colourbond metal roof sheeting.

The proposal also includes the filling of the existing swimming pool.

An arborist report has been prepared by Graham Brook Arborist. Out of the 10 trees that were assessed only 2 trees were recommended to be removed.

The following sections of this report assess the performance of the development having regard to the applicable legislative framework and the desired local government built form outcomes

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Pittwater Local Environmental Plan 2014

The Pittwater Local Environmental Plan 2014 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

4.1.1 Zoning and Permissibility

As previously noted the site is zoned E4 Environmental Living pursuant to the provisions of the Pittwater Local Environmental Plan 2014.

Dwelling Houses are permissible with consent in the E4 zone. The specific objectives of the zone are identified as follows:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values;*
- *To ensure that residential development does not adversely affect those values;*
- *To provide for residential development of a low density and scale integrated with the landform and landscape;*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

The application relates to the provision of a low-density development consisting of a dwelling house, driveway, and associated landscaping works. The proposal is integrated and responsive to the landform and landscape. We have formed the considered opinion that the development is permissible in the zone and consistent with the zone objectives as outlined above. Accordingly, there is no statutory impediment to the granting of consent.

4.1.2 Height of Buildings

Pursuant to Clause 4.3 of the PLEP, the site is identified on the height of buildings map as having a maximum permissible height of 8.5 metres. The objectives of the control are identified as follows:

- a) *To ensure that any building, by virtue of its height and scale, is consistent with the character of the locality;*

- b) To ensure that buildings are compatible with the height and scale of surrounding and nearby development;*
- c) To minimise any overshadowing of neighbouring properties;*
- d) To allow for the reasonable sharing of views;*
- e) To encourage buildings that are designed to respond sensitively to the natural topography;*
- f) To minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

The proposal provides for a consistent building height and roof form which is consistent with the prevailing building heights and desired future character in the Avalon Beach Locality. The proposal is compliant with the 8.5 metre height limit, as demonstrated on the architectural plans prepared by Chenchow Little.

The proposal does not impede on any public and private views or adversely impact on any neighbouring properties by way of overshadowing, privacy or amenity impacts. The design responds to the natural topography of the land and minimise the need for cut and fill.

The site is not identified as a heritage item or located within the curtilage of a heritage item. The height, bulk and scale of the dwelling is compatible with neighbouring dwellings and the proposed works are considered to enhance the visual impact of the dwelling on the natural environment.

4.1.3 Acid Sulfate Soils (Clause 7.1)

Pursuant to Clause 7.1 of the LEP, the site is mapped as being both class 3 and 5 acid sulfate soils. The proposed development does not require any significant levels of excavation that would disturb or expose acid sulfate soils and adversely impact on the local environment.

4.1.4 Biodiversity Protection (Clause 7.6)

Pursuant to Clause 7.6, the site is identified on the biodiversity map. Given the nature of the proposed development, a full biodiversity assessment is not required, however an arboricultural assessment report prepared and accompanies this application. 14 trees were assessed on the site with 2 trees proposed as requiring removal. Tree protection measures have been recommended for the remaining trees.

4.1.5 Flood Planning (Clause 7.3)

Pursuant to Clause 7.3, the site is not identified as being located within a flood hazard area. A Flood Risk Management Report prepared by Waterdesign Engineers accompanies the application. The report states that the proposal will be able to comply with the flood prone land development controls within the Pittwater DCP.

4.2 Pittwater Development Control Plan 2014

This policy document came into effect on 1 February 2004. P21 DCP contains development controls for the design and construction of buildings and the development of land in Pittwater. The proposed development has been assessed against the relevant provisions of P21 DCP as outlined in the following sections of this report.

4.2.1 Avalon Beach Locality

The property is located within the Avalon Beach Locality. The desired future character of the Avalon Beach Locality will remain primarily a low-density residential area. The key objectives for the desired future character are identified as follows:

“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.

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.

The design, scale and treatment of future development within the Avalon Beach Village will reflect the 'seaside-village' character of older buildings within the centre, and reflect principles of good urban design. External materials and finishes shall be natural with smooth shiny surfaces avoided. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors"

The architects have responded to the client brief to provide a dwelling of design merit and visual interest which harmonises with the environmental locality and natural features of the site. The design of the work have a compatible with the character and scale of development within the locality and immediate context. The development will provide a quality built form outcome on the site.

The design, scale and treatment of the proposed development is compatible with dwellings within the immediate setting. External materials and finishes will be consistent with the colours and materials of surrounding dwellings. In this regard the development responds positively to the desired future character of the locality and will contribute to the visual amenity of the streetscape.

4.2.2 Pittwater 21 Development Control Plan Compliance Table

A table demonstrating compliance with the relevant numerical provisions of the Pittwater 21 DCP 2014 is detailed as follows:

Control	Requirement	Proposed	Compliance
General Controls			
Development Type Controls			
Flood Prone Land B3.11	Protection of people. Protection of the natural environment. Protection of private	A flood risk management report is provided with this application.	Yes

Control	Requirement	Proposed	Compliance
	and public infrastructure and assets.		
Flora and Fauna Conservation B4.1	The long-term viability of locally native flora and fauna and their habitats in the Pittwater Local Government Area.	The site is mapped as being a terrestrial biodiversity area. An ecology report is not considered to be required in this instance however an arborist report has been prepared and accompanies this application.	Yes
Preservation of Trees and Bushland Vegetation B4.22	<p>To protect and enhance the urban forest of the Northern Beaches.</p> <p>To effectively manage the risks that come with an established urban forest through professional management of trees.</p> <p>To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.</p> <p>To protect, enhance bushland that provides habitat for</p>	The arborist report undertook a study of 14 trees on the site. 2 trees are proposed to be removed with the remaining trees to be protected. The report provides recommendations for the protection of the remaining trees which we anticipate appropriately worded conditions to be included in any consent.	Yes

Control	Requirement	Proposed	Compliance
	<p>locally native plant and animal species, threatened species populations and endangered ecological communities.</p> <p>To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.</p> <p>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.</p>		
<p>Stormwater</p> <p>B5.15</p>	<p>Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;</p> <p>Minimise the risk to public health and safety;</p> <p>Reduce the risk to</p>	<p>The accompanying stormwater management plans provided by Taylors Consulting engineers show that the collected flows from the existing and proposed roofed areas, and landscaped areas, will be discharged to the existing kerb and gutters in William Street.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>life and property from any flooding and groundwater damage;</p> <p>Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.</p> <p>Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle</p> <p>Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources</p> <p>Protect Council's stormwater drainage assets during development</p>		

Control	Requirement	Proposed	Compliance
	works and to ensure Council's drainage rights are not compromised by development activities.		
Access driveways and Works on the Public Road Reserve B6.1	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.	The development proposed the creation of a new access driveway from John Street. The proposed driveway crossing has been designed in accordance with the Australian Standards for off-street parking, as detailed within the engineering drawings prepared by Taylors Consulting.	Yes
Internal Driveways B6.2	Safe and convenient access. Reduce visual impact of driveways. Pedestrian safety. An effective road drainage system. Maximise the retention of trees and native vegetation.	The driveway has been prepared in accordance with the Australian Standards as detailed in the engineering drawings by Taylors Consulting. The driveway will provide access to the new integrated garage. A traffic report has been prepared by traffic report by Inroads Group.	Yes

Control	Requirement	Proposed	Compliance
	Reduce contaminate run-off from driveways.		
Off-Street Vehicle Parking Requirements B6.3	2 Bedrooms + = 2 spaces	The existing site does not provide for any formal off-street parking arrangements nor does it include a driveway crossover. This proposal will improve the off-street carparking on the site to include a new integrated single car garage.	No – worthy on merit.
Construction and Demolition - Excavation and Landfill B8.1	Site disturbance is minimised. (En) Excavation, landfill and construction not to have an adverse impact. (En) Excavation and landfill operations not to cause damage on the development or adjoining property. (S)	The development proposes the filling of the existing pool with the use of appropriate fill material. The pool area will become part of the private open space and landscaped accordingly. An erosion and sediment control plan has been prepared by Taylors Consulting.	Yes
Construction and Demolition - Waste Minimisation B8.3	Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste	The development will require some demolition which will be reused or recycled where appropriate. All waste materials will be disposed of via an appropriate waste disposal contractor.	Yes

Control	Requirement	Proposed	Compliance
	facility. (En)		
Landscaping C1.1	<p>A built form softened and complemented by landscaping. (En)</p> <p>Landscaping reflects the scale and form of development. (En)</p> <p>Retention of canopy trees by encouraging the use of pier and beam footings. (En)</p> <p>Development results in retention of existing native vegetation. (En)</p> <p>Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)</p> <p>Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)</p> <p>Landscaping enhances habitat and amenity value.</p>	<p>The landscape plan prepared by Volker Klemm provides for an enhancement of the environmental value of site. The plan utilises various native species while also retaining the majority of the existing canopy trees. The various native trees, shrubs and grasses ensure the enhancement of the biodiversity of the local environment and habitats.</p> <p>It is considered that the landscape plan is reflective of the objectives of the E4 zone and biodiversity value of the locality.</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>(En, S)</p> <p>Landscaping results in reduced risk of landslip. (En, Ec)</p> <p>Landscaping results in low watering requirement. (En)</p>		
Safety and Security C1.2	<p>On-going safety and security of the Pittwater community. (S)</p> <p>Opportunities for vandalism are minimised. (S, Ec)</p> <p>Inform applicants of Council's requirements for crime and safety management for new development.(S)</p> <p>Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements</p>	<p>The development will provide the occupants with opportunities for casual surveillance of the street. The dwelling will have clearly defined entrance and will be appropriately lit.</p> <p>The proposal is considered to be consistent with Crime Prevention through Design principals.</p>	Yes
View Sharing C1.3	<p>A reasonable sharing of views amongst dwellings.</p>	<p>The development raises no concerns regarding potential view loss to neighbouring dwellings.</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>(S)</p> <p>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. (S)</p> <p>Canopy trees take priority over views. (En, S)</p>		
<p>Solar Access</p> <p>Clause C1.4</p>	<p>Main private open space of the dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st. Windows to the principal living areas of the proposal and windows to the principal living area of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st to at least 50% of the glazed</p>	<p>The development results in no additional overshadowing to adjoining properties. As such, the proposal is consistent with this control.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	area.		
Visual Privacy C1.5	<p>Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)</p> <p>A sense of territory and safety is provided for residents. (S)</p>	<p>The development does not give rise to any significant adverse impacts to the privacy of neighbours. The proposal maintains a single level built form which limits any overlooking ability. Private open space lawn areas are to be surrounded with landscaping treatments for the amenity of the occupants and neighbouring properties with regard to privacy. No privacy impacts are foreseen with the proposed works.</p>	Yes
Acoustic Privacy C1.6	<p>Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited. (S)</p> <p>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</p>	<p>With the deletion of the existing swimming pool and its conversion to soft landscaping is considered to result in the improvement of acoustic privacy for adjoining development. Swimming pools can be a source of noise generation.</p> <p>The primary open space areas are proposed to be in the same location of the swimming pool. As such, it is considered that this location would not result in any additional adverse noise impacts to the adjoining dwelling to the north. In fact, it would result in an improvement to that neighbour with the deletion of the pool.</p>	Yes

Control	Requirement	Proposed	Compliance
	areas (S)		
Private Open Space Clause C1.7	Minimum area of 80sqm of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard	>80m ²	Yes
Avalon Beach Locality Specific Development Controls			
Character as viewed from a public place D1.1	<p>To achieve the desired future character of the Locality.</p> <p>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)</p> <p>To enhance the existing streetscapes and promote a scale</p>	<p>The proposal provides a dwelling of design merit of an appropriate scale and height which positively responds to its context. The development will not only provide a quality built form outcome on the site, but it will also provide a dwelling which is of visual interest in terms of its design when viewed from the street. The dwelling is articulated through the use of pavilion style floor plates, varied materials and visually interesting roof elements.</p> <p>The development will sit within an enhanced landscaped setting with the majority of existing trees being retained on the site. The native plantings proposed ensure the enhancement of the natural</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>and density that is in keeping with the height of the natural environment.</p> <p>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. (En, S, Ec)</p> <p>High quality buildings designed and built for the natural context and any natural hazards. (En, S)</p> <p>Buildings do not dominate the streetscape and are at 'human scale'.</p> <p>To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.</p>	<p>environment and its biodiversity.</p> <p>The inclusion of the integrated single car garage is an improvement for the site with the existing circumstance providing no opportunities for off-street parking.</p>	

Control	Requirement	Proposed	Compliance
Building colours and materials D1.5	<p>The development enhances the visual quality and identity of the streetscape. (S)</p> <p>To provide attractive building facades which establish identity and contribute to the streetscape.</p> <p>To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.</p> <p>The colours and materials of the development harmonise with the natural environment. (En, S)</p> <p>The visual prominence of the development is minimised. (S)</p> <p>Damage to existing native vegetation and habitat is minimised. (En)</p> <p>An informal beachside</p>	<p>A schedule of materials and finishes are detailed within the architectural plans provided. They utilise a range of materials and earthy tones.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	appearance of the Avalon Beach Village. (S, Ec)		
Front Building Line D1.8	Development is to maintain a front building line of 6.5 metres or the established building line, whichever is greater.	<p>The subject site is a corner allotment. The existing setback to both William Street and John Street.</p> <p>The new addition will have the same setback to John Street as the existing dwelling.</p>	Yes
Side and Rear Building Line D1.9	<p>Development is to maintain a minimum side building line of 2.5 metres to one side and 1 metre to the other side.</p> <p>6.5 metre rear building line.</p>	<p>The site is a corner block with a primary frontage and address to John Street. As such, there is no rear boundary.</p> <p>The proposed side boundary setbacks are to the western boundary are measured at approximately 1m. The setback to the northern boundary is calculated at approximately 6.5m. The setbacks are compliant with the control.</p>	Yes
Building Envelope D1.9	Projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building	The proposed works will sit comfortably within the building envelope control as illustrated on the elevation and section drawings within the architectural plans.	Yes

Control	Requirement	Proposed	Compliance
	height.		
Landscaped Area Environmentally Sensitive Land D1.10	Total Landscaped Area is 60% of the total site area.	<p>57.5% of the site is proposed to be soft landscaping (400.5m²) which represent an increase in soft landscaping from 318m². With the inclusion of up to 6% hard surface areas, as stipulated in this control, the proposal meets the 60% landscape area control.</p> <p>Furthermore, the site has reduced the hard paved surface areas from 132m² to 41.5m² with the proposed works.</p>	Yes
Fences D1.15	<p>Front and side fences (within the front building setback) shall:</p> <p>not exceed a maximum height of 1 metre above existing ground level,</p> <p>shall be compatible with the streetscape character, and</p> <p>not obstruct views available from the road.</p> <p>Front fences and landscaping should allow people in their homes to view</p>	<p>The existing fence adjacent to the John Street frontage is to be demolished and replaced to match the existing fence adjacent to the William Street Frontage.</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>street activity.</p> <p>Fences are to be constructed of open, see-through, dark-coloured materials.</p> <p>Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</p> <p>Original stone fences or stone fence posts shall be conserved.</p>		

4.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the residential component of the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.4 Matters for Consideration Pursuant to Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(i) The provision of any planning instrument

The proposal is permissible and generally in conformity with the General, Development Type and Locality Specific Controls contained within Pittwater 21 Development Control Plan.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent.

(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

N/A

(iii) Any development control plan

Pittwater DCP applies

(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

N/A

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

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

(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,

N/A

Context and Setting

i. *What is the relationship to the region and local context in terms of:*

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

The proposed works are entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. *What are the potential impacts on adjacent properties in terms of:*

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*

- *Traffic management schemes*
- *Vehicular parking spaces*

The proposal will result in a new driveway and the addition of a single integrated car garage. A traffic management letter has been provided with this application.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will continue to service the dwelling house.

Flora and Fauna

The application is accompanied by a landscape plan and arborist report.

Waste Collection

Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

A flood risk management report accompanies this application.

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

- i) *Is the development design sensitive to environmental considerations and site attributes including:*
 - *size, shape and design of allotments*
 - *The proportion of site covered by buildings*
 - *the position of buildings*
 - *the size (bulk, height, mass), form, appearance and design of buildings*
 - *the amount, location, design, use and management of private and communal open space*
 - *Landscaping*

These matters have been discussed in detail earlier in this report. The potential impacts are minimal and within the scope of the general principles, desired future character and built form controls.

ii) *How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation*
- *building fire risk – prevention and suppression*
- *building materials and finishes*
- *a common wall structure and design*
- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

The proposed development will comply with the provisions of the Building Code of Australia as required by Clause 98 of the Environmental Planning and Assessment Regulation 2000. There will be no detrimental effects on the occupants through the building design which will achieve the relevant standards pertaining to health and safety.

Construction

i) *What would be the impacts of construction activities in terms of:*

- *The environmental planning issues listed above*
- *Site safety*

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause excessive or unmanageable levels of transport demand.

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed works.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The architect has responded to the client brief to provide for a dwelling of design merit that provides a high level of amenity for the future occupants whilst appropriately addressing the sites setting and maintaining the amenity of the nearby residential properties. The development will provide a quality built form outcome on the site.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of good design that satisfies the outcomes and controls contained within the adopted legislative framework. Accordingly, approval of the development would be in the public interest.

5 Conclusion

The proposed dwelling and associated works are permissible and consistent with the intent of the built form controls as they are reasonably applied to the proposal, given the constraints imposed by the sites typography and environmental characteristics.

It is considered that the proposal is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed dwelling and associated works are compatible with the desired future character of the locality.
- The proposed dwelling will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of exceptional design merit, that satisfies the outcomes and controls contained within the adopted legislative framework.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.