

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE DEMOLITION OF THE EXISTING DWELLING AND THE CONSTRUCTION OF A
NEW DWELLING AND DRIVEWAY ACCESS TOGETHER WITH ASSOCIATED LANDSCAPING**

LOCATED AT

64 POWDERWORKS ROAD, NORTH NARRABEEN

FOR

SOMERS ISLES PTY LTD



**Prepared
October 2024**

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1.0 Introduction

This Statement of Environmental Effects accompanies details prepared on behalf of Somers Isles Pty Ltd, Project No PWD001, Sheets No's A1 – A10 dated 14 October 2023 to detail the proposed demolition of the existing dwelling and the construction of a new two storey dwelling with a new driveway access from Powderworks Road and associated landscaping at **64 Powderworks Road, North Narrabeen.**

The plans and details which comprise the architectural set are:

A01	Site Plan and Site Calculations
A02	Proposed Ground Floor Plan
A03	Proposed First Floor Plan
A04	North and South Elevations
A05	East and West Elevations
A06	Proposed Section A-A
A07	Illustrated Window and Door Schedule
A08	Shadow Diagram

Landscape Plan prepared by Peta Gilliland Landscape Design, Drawing No L001 dated 2 March 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. As a result of this 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.

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

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan 2014*

2.0 Property Description

The subject allotment is described as No. 64 Powderworks Road, North Narrabeen, being Lot 35 within DP 6462. The property is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The site does not contain any heritage items; nor is it located within a conservation area.

The land is noted as being potentially subject to Geotechnical Hazard and therefore a Geotechnical Investigation has been prepared by White Geotechnical Group, Report Reference No J5607B dated 2 October 2024 and this will be discussed further within the statement.

No other hazards have been identified.

3.0 Site Description

The property is located on the southern side of Powderworks Road, with the site rising above the road level towards the south with a central level area which currently accommodates a single storey dwelling, with the site then falling more steeply towards the southern, rear boundary.

The site is generally rectangular in shape, other than an angled front boundary facing Powderworks Road. The site has a front boundary length of a total of 20.655m, eastern and western boundary lengths of 107.585m and 121.525m respectively and rear boundary length of 15.445m.

The total site area is 1516m².

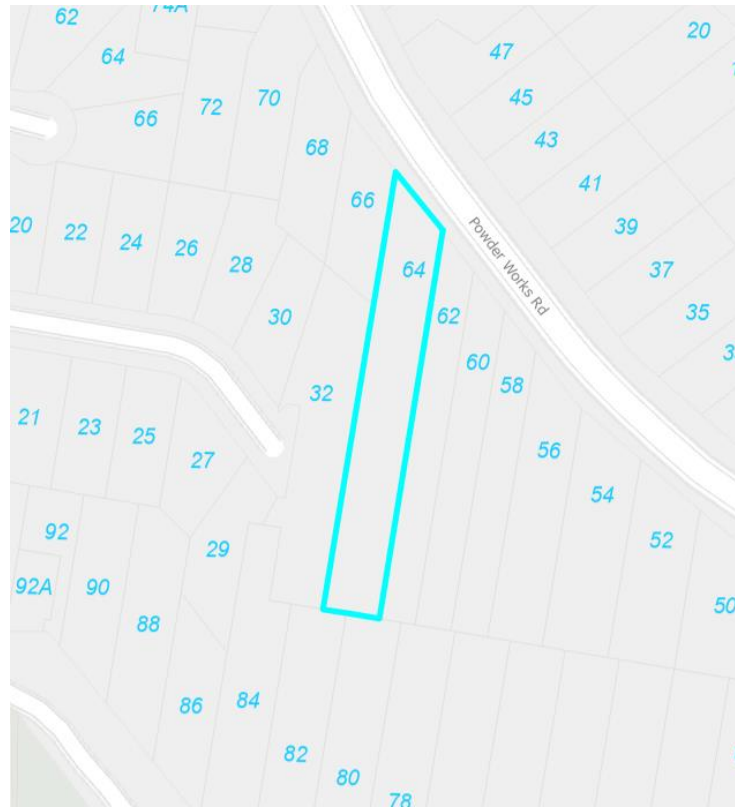
The site is currently developed with a single storey timber framed dwelling with FC sheet cladding, stone foundation walls and a metal roof, together with a detached metal carport with metal shed. These structures will be demolished.

Vehicular access is currently provided to the carport via a rough and informal driveway with a driveway crossing to Powderworks Road.

The site contains landscaped multi-level planting and grassed areas within the front and rear setback, with existing trees within the front yard and within the or heavily landscaped lower portion of the site.

As discussed, the northern portion of the site which will accommodate the new dwelling to replace existing dwelling and the proposed new driveway access from Powderworks Road has a fall to the street gutter and stormwater from the site will be directed to the street gutter in accordance with the Stormwater Management Plan prepared by Taylor Consulting, Drawing No STORM-4/B dated 12 July 2024.

The details of the site are included on the Survey Plan prepared by CMS Surveyors Pty Ltd, Drawing Name 10814Cdetail, Sheets 1-3 dated 2 May 2023 which accompanies the DA submission.



**Fig 1: Location of subject site
(Source: NBC Planning Maps)**



Fig 2: View of subject site (RHS of view), looking south from Powderworks Road



Fig 3: View of the adjoining development to the east of the site, looking south-east from Powderworks Road



Fig 4: View of the existing driveway access over the road reserve to the site, looking south-east from the driveway entry to Powderworks Road



Fig 5: View looking north-west down existing driveway



Fig 6: View looking south-east towards the eastern neighbouring dwelling at No 62 Powderworks Road



Fig 7: View looking north along the eastern side boundary



Fig 8: View looking south along the western boundary of the site



Fig 9: View of the southern (rear) elevation of the dwelling, looking north



Fig 10: View of the existing dwelling and detached carport, looking north-east

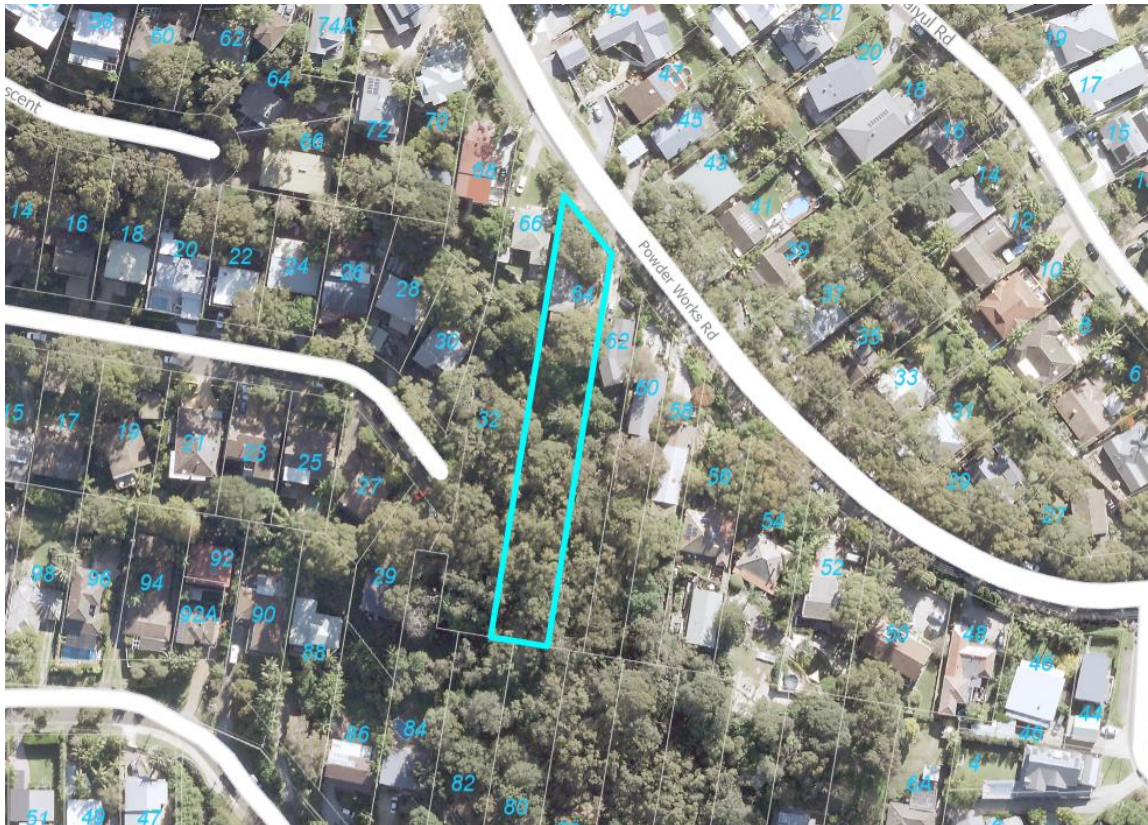


Fig 11: View of the rear yard, looking south

4.0 The Surrounding Environment

The general vicinity of the site is characterised by low density residential development of typically one to two storey dwellings of a variety of styles and scales of development.

The neighbouring properties are commonly single and two storey dwellings of a similar size and scale to the subject dwelling. The dwellings are of a low scale and set in landscaped gardens.



**Fig 12: Aerial view of locality
(Source: NBC Planning maps)**

5.0 Proposed Development

As detailed within the accompanying architectural plans prepared by Inlet Design Studio, the proposal involves the demolition of the existing dwelling and separate carport and associated structures, and the construction of a new two storey dwelling with excavation for a new driveway and double garage to be incorporated within the footprint of the dwelling.

In particular, the works comprise:

Demolition

- Demolition of the existing dwelling and the detached carport and metal shed.

Ground Floor Level

- Proposed open plan kitchen with walk-in pantry and family room with separate lounge room, laundry and separate WC
- Proposed double garage with new driveway access from Powderworks Road
- Internal stair access to proposed first floor level

First Floor Level

- First floor level to provide for master bedroom with ensuite and walk-in robe,
- Three bedrooms with built in wardrobes
- proposed upper level living area
- Separate bathroom and separate WC.

External

- Construction of a new driveway access to Powderworks Road, with new driveway crossing and layback and turning bay area within the front setback (existing separate crossing and driveway to adjoining property at No 62 Powderworks Road to be maintained).

The proposed new works will present a modest two storey scale to Powderworks Road which is consistent with similar two storey development in the immediate locality.

The dwelling will present a mix of brick veneer construction to the ground floor level with timber frame and selected weatherboard cladding to the first floor level with a concrete tile roof.

A schedule of external finishes has been provided to detail the external colours and materials.

Stormwater disposal for the development has been detailed within the Stormwater Management Plan prepared by Taylor Consulting, Drawing No STORM-4/B dated 12 July 2024.

The proposed driveway and turning area has been detailed within the Driveway Plan and Long Sections prepared by Taylor Consulting, Drawing No Civil – 4/B dated 12 July 2024.

The construction of the new dwelling and driveway access will impact on trees within the site and the neighbouring property and accordingly, a Arboricultural Impact Assessment Report has been prepared by Joanne Willis, dated 6 December 2023.

The Assessment considers the impact of the works on 12 trees within the site and the neighbouring properties.

The Assessment notes that 5 trees will be removed, of which two are noted as being exempt species. Of the trees to be removed, all have been noted as being of either low or fair condition.

Given the challenges of constructing a new dwelling within the site and appropriate driveway access, removal of the trees is considered to be unavoidable in this instance.

To support the tree removal and provide for improved landscape outcome for the property, a Landscape Plan has been prepared by Peta Gilliland Landscape Design, which includes the replacement planting of two *Angophora costata* which will have a mature height between 6 to 10m. Additionally, other understorey supporting planting has been provided.

The site will maintain a generous landscaped area of over 87%.

The existing development indices for the site are:

Site Area	1745m ² (by survey)
Required Landscaped Area	60% or 909.6m ²
Proposed Landscaped Area	87.1% or 1520m ² (excluding 6%)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

Overall, the proposed development is consistent with the relevant provisions of SEPP (Resilience and Hazards).

6.2 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the SEPP, a BASIX Certificate is submitted with the application and confirms that the proposal will comply with the water, thermal comfort, and energy efficiency requirements of the policy.

6.3 Pittwater Local Environmental Plan 2014

Clause 2.3 Zone Objectives and land Use Table

The subject site is zoned C4 Environmental Living under the Pittwater LEP 2014.

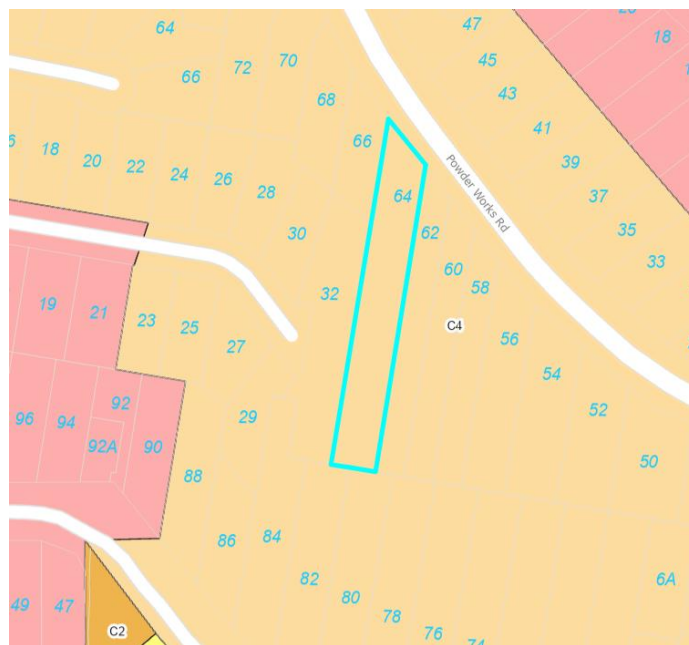


Fig 13: Extract of Pittwater Local Environmental Plan 2014

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on 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*

It is considered that the proposed alterations and additions will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed scale of the development respects the scale and form of other new development in the vicinity and therefore complements the locality.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have an unreasonable impact on any long distance views.

Clause 4.3 – Height of Buildings

The maximum building height in this portion of North Narrabeen is 8.5m. The proposed overall height of the dwelling is 7.11m and maintains compliance with Council's height control.

Clause 7.1 – Acid sulfate soils

The site is identified within Area 5 of the Acid Sulfate Soils Map of PLEP 2014. The proposed development does not involve the works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

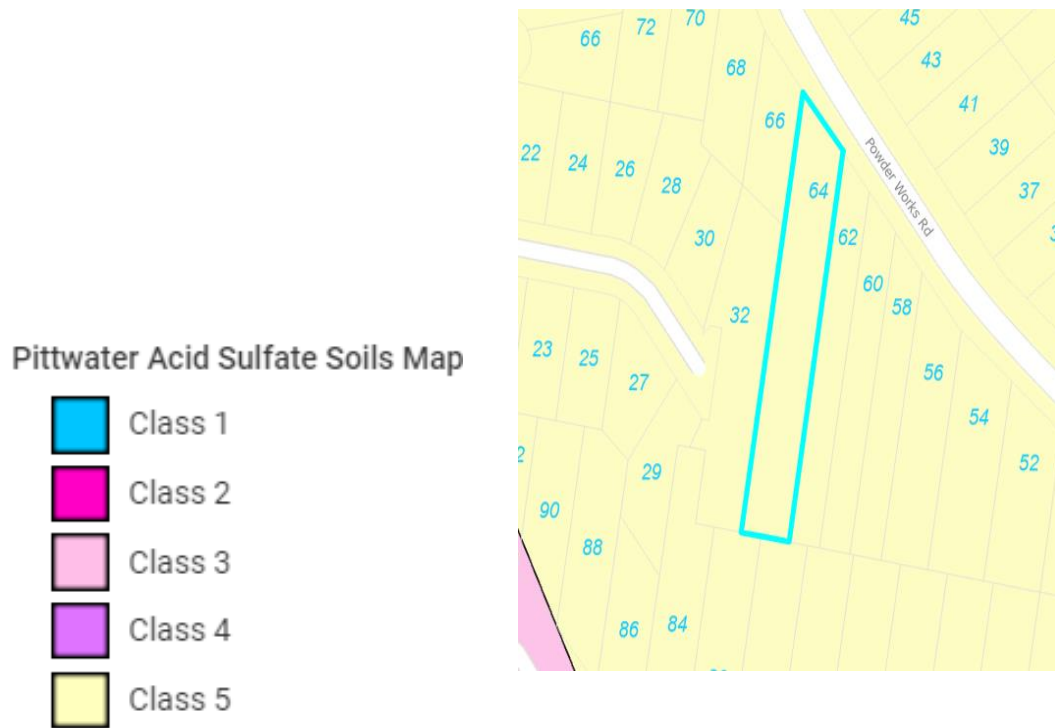


Fig 14: Extract of Pittwater Local Environmental Plan 2014 Acid Sulfate Soils Map

Clause 7.2 – Earthworks

The works do not involve any significant site disturbance other than for the construction of the driveway and cut for the new dwelling.

The site is noted as ‘W Hazard H1’ on Council’s Geotechnical Hazard Map. A Geotechnical Investigation has been prepared by White Geotechnical Group Pty Ltd, Reference No. J5607B, dated 2 October 2024.

The Investigation concludes:

“The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice”.

All works will be carried out in accordance with the recommendations of the Consulting Geotechnical & Structural Engineers and will therefore satisfy the provisions of this clause.

Clause 7.3 – Flood planning

The site has not been identified on Council’s Flood Risk Map and therefore no further investigation is required.

Clause 7.6 – Biodiversity protection

The lower portion of the site is identified on Council’s biodiversity map, however the location for the

proposed dwelling and driveway does not impact the area mapped as being subject to biodiversity.

A comprehensive Landscape Plan has been prepared by Peta Gilliland Landscape Design to provide for the managed replanting of the site and the supplementary planting of 2 additional trees with a mature height of between 6-10 m.

Further supplementary planting can be provided as necessary.

Clause 7.10 – Essential Services

All essential services will be maintained to the site.

There are no other clauses of the PLEP 2014 that are considered to be relevant to the proposed development.

6.4 Pittwater 21 Development Control Plan 2014

Council's Pittwater 21 DCP Section B (General Controls), Section C (Development Type Controls) and Section D North Narrabeen Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

6.4.1 Shaping Development – Desired Character

The desired outcomes for the North Narrabeen Locality, in which this site falls, are as follows:

A4.11 North Narrabeen Locality

The North Narrabeen 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 on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, 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 the development. 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.

The design, scale and treatment of future development within the North Narrabeen commercial centre on Pittwater Road will reflect the status of the centre as the 'gateway' to Pittwater through building design, signage and landscaping, and will reflect principles of good urban design.

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, and to enhance wildlife corridors.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

It is considered that the proposal is consistent with the desired character of the locality by providing for the demolition of the existing dwelling and associated structures and construction of a new two story dwelling with double garage and car park access via a new driveway and turning area from Powderworks Road. Given the generous setback from the road and the modest height and form of the new dwelling, the works will not dominate the existing streetscape. The proposal is considered consistent with the scale and style of development in the vicinity.

The proposed design incorporates varied elements including new glazing and building articulation which minimise the visual bulk of the dwelling as it presents to adjoining properties and the public domain.

The proposal will maintain all view opportunities for neighbouring properties.

The proposal will maintain and enhance canopy trees within the site and other vegetation to soften the built form of the new works and continue to provide for a dwelling within a bushland setting.

The works will be finished in a range of textures and finishes which will complement the existing surrounding development and the use of earthy tones will harmonise with the landscaped setting of the locality.

6.4.2 Section B General Controls

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

B4.5 Flora and Fauna Habitat Enhancement Category 3 Land and Wildlife Corridor

The controls seek to achieve the outcomes:

The long-term viability and enhancement of locally native flora and fauna and their habitats. (En)

The proposal will not require the removal of any significant vegetation other than trees with directly within the proposed dwelling footprint and the access driveway and the proposal will see the managed replanting of the site with replacement planning including locally occurring native species and supplementary tree planting.

The proposal is not considered to result in any adverse impacts on native flora and fauna.

B5.15 Stormwater

The controls seek to achieve the outcomes:

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;

Minimise the risk to public health and safety;

Reduce the risk to life and property from any flooding and groundwater damage;

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.

Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle

Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources

Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.

A Stormwater Management Plan has been prepared by Taylor Consulting under Drawing No STORM-4/B which directs collected roof orders to the street gutter via an on-site detention tank system with a total storage volume of 6118 litres in accordance with Council's Water Management for Development Policy.

B6.1 Access driveways and works on the public road reserve

The controls seek to achieve the outcomes:

Safe and convenient access. (S)

Adverse visual impact of driveways is reduced. (En)

Pedestrian safety. (S)

An effective road drainage system. (En, S)

Maximise the retention of trees and native vegetation in the road reserve.

The proposal seeks consent for construction of a new driveway and crossover from Powderworks Road as detailed in the Driveway Civil Works plan prepared by Taylor Consulting, Drawing No CIVIL – 4/B.

B6.2 Internal Driveways

The controls seek to achieve the 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 run-off from driveways.

The proposal seeks construction of a new driveway as detailed in the civil works plans prepared by Taylor Consulting.

Given the site gains access from a relatively busy road in the area, a turning bay is provided within the front setback area of the property to allow vehicles to safely enter and leave the site in a forward direction.

B6.3 Off-Street Vehicle Parking Requirements

The controls seek to achieve the outcomes:

An adequate number of parking and service spaces that meets the demands generated by the development.

Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.

Safe and convenient parking.

The controls require a minimum of two (2) parking spaces for the dwelling.

The proposal seeks consent for the construction of new dwelling which will incorporate a double garage with provision for two off-street car parking spaces.

B8.1 Construction & Demolition – Excavation and Landfill

The controls seek to achieve the outcomes:

Site disturbance is minimised. (En)

Excavation and construction not to have an adverse impact. (En)

Excavation operations not to cause damage on the development or adjoining property. (S)

The proposal will not require some excavation for the construction of the new driveway, with minimal earthworks necessary for the new dwelling. All works will be carried out under the guidance of the consulting Structural & Geotechnical Engineers.

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)

The proposal will not require any excavation to accommodate the new works. All works will be carried out under the guidance of the consulting Structural Engineer.

B8.3 Construction and Demolition – Waste Minimisation

The controls seek to achieve the following 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. (En)

The demolition and construction works will seek to minimise waste by re-using material where

possible or recycling appropriate materials. All construction waste will be removed from the site to an approved waste facility.

6.4.3 Section C Development Type Controls

The Development Controls applicable to the proposed development and are summarised as:

C1.1 Landscaping

The controls seek to achieve the outcome:

A built form softened and complemented by landscaping. (En)

Landscaping reflects the scale and form of development. (En)

Retention of canopy trees by encouraging the use of pier and beam footings. (En)

Development results in retention of existing native vegetation. (En)

Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)

Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)

Landscaping enhances habitat and amenity value. (En, S)

Landscaping results in reduced risk of landslip. (En, Ec)

Landscaping results in low watering requirement. (En)

The proposal maintains a suitable area of soft landscaping on the site, with opportunity for new plantings to soften and screen the built form of the new works, which have been detailed in the comprehensive Landscape Plan prepared by Peta Gilliland Landscape Design. With the proposed planting schedule, the site will maintain its contribution to the landscaped character of the locality.

C1.3 View Sharing

The controls seek to achieve the outcomes:

A reasonable sharing of views amongst dwellings. (S)

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)

Canopy trees take priority over views. (En, S)

The subject and adjoining properties currently enjoy a district outlook and more distant views towards Narrabeen Lagoon and Narrabeen Beach. With the proposed new dwelling replacing the existing dwelling in a largely similar location, the works will not see any significant or unreasonable change to the existing outlook enjoyed by the surrounding properties with equitable access to be maintained to views available to the properties.

C1.4 Solar Access

The controls seek to achieve the outcomes:

Residential development is sited and designed to maximise solar access during mid-winter. (En)

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)

Reduce usage and/dependence for artificial lighting. (En)

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.

Shadow diagrams have been prepared by Inlet Design Studio which note that given the modest height and form of the proposal, suitable solar access is preserved for the adjoining properties, which in conjunction with subject site, enjoy an excellent northerly aspect and good solar access for north facing rooms.

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. (S)

A sense of territory and safety is provided for residents. (S)

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 new dwelling locates the primary living areas at the lower level. The works provide ample separation from adjoining properties, which assists with minimising opportunities for overlooking to neighbouring properties.

Suitable privacy is considered to be maintained for the subject dwelling and adjoining neighbours.

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. (S)

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 recreation areas (S)

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

proposed works, no adverse or unreasonable acoustic privacy impacts are anticipated.

C1.7 Private 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. (S)

Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)

Private open space receives sufficient solar access and privacy (En, S).

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

C1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

Waste facilities are accessible and convenient, and integrate with the development. (En)

Waste facilities are located such that they do not adversely impact upon amenity of the land adjoining development or natural environment. (En, S)

The required controls to achieve the outcomes are to ensure that adequate area remains for the storage of waste and recyclable materials. There is sufficient area beside the existing dwelling for on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

C1.23 Eaves

The controls seek to achieve the outcomes:

Housing that reflects the coastal heritage and character of Pittwater. (S)

Optimise roof forms. (S)

Appropriate solar access and shading is achieved. (En)

The required controls to achieve the outcomes are to ensure that all dwellings incorporate eaves into their design.

The existing eaves are maintained.

6.4.4 Section D Development Type Controls

The **D11 North Narrabeen Locality Statement** contains a number of outcomes for development. The proposal has been assessed in regard to the Locality Statement and is summarised in the following table.

In support of the proposal, it is considered that this proposal is well designed, comprehensive and consistent with the community's vision for development in Pittwater in that it is:

- Proposing a form of development which is compatible with the existing residential character of the area by maintaining an appropriate development scale which is compatible with the vicinity.
- The proposal maintains existing views and amenity to adjoining properties.
- The proposal will not result in additional run-off to adjoining properties or public spaces.
- The development will not place additional demands on local infrastructure or on the sewage disposal system for the site.

A summary of the DCP controls for the **D11 North Narrabeen Locality** is provided below:

D11.1 Character As Viewed From A Public Place

The control seeks to achieve the 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 and natural environment. (En, S, Ec)

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. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

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

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. (En, S)

The required controls to achieve the outcomes are to ensure that the building form maintains a compatibility with the locality through appropriate design relief and is secondary to the landscaping of the site.

The proposed new dwelling will present a contemporary form, with the proposed new dwelling to provide a suitable setback from the front and side boundaries in order to minimise bulk and

scale impacts. The modest two storey scale is consistent with the bulk and scale of existing surrounding development in the locality, with generous front and side setbacks to assist in minimising the view of the new dwelling from the street domain.

D11.2 Scenic Protection – General

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.
Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)*

The proposed work will present all will you a modest two storey scale that is compatible with the residential characteristics of the locality.

The proposal maintains the existing area of soft landscaping, and will not require the removal of any significant vegetation.

Accordingly, the proposed development is considered to be in keeping with the desired outcomes of the scenic protection area.

D11.3 Building colours and materials

The controls seek to achieve the outcomes:

*To achieve the desired future character of the Locality.
The development enhances the visual quality and identity of the streetscape. (S)
To provide attractive building facades which establish identity and contribute to the streetscape.
To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.
The colours and materials of the development harmonise with the natural environment. (En, S)
The visual prominence of the development is minimised. (S)
Damage to existing native vegetation and habitat is minimised. (En)*

The proposed colours and finishes have been selected to complement existing works and the characteristics of the neighbourhood.

D11.6 Front Building Line

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. (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.

The site is subject to a minimum front setback of 6.5m. Given the angled nature of the front boundary, the proposed develop will present a setback of a minimum of 6.98m, with the majority of the new work to be set well beyond the 6.5 m minimum setback control.

D11.7 Side and rear building line

The controls seek to achieve the 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.

The relevant controls to achieve this outcome are to maintain a minimum side boundary setback 2.5m to at least one side and 1m for the other.

The proposed new dwelling will stand from 1.555m to the western boundary and from 2.965m to the eastern boundary, comfortably observing Council's minimum setback requirements.

Given the significant depth of the site, the proposed new dwelling will stand well beyond the 6.5m minimum rear setback control.

D11.9 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. (En, S)

Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

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

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°.

Given the modest height of the new dwelling together with the generous side setbacks, the proposal will comply with Council building envelope control.

D11.10 Landscaped Area – General

The controls seek to achieve the 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. (En, S)*
- Vegetation is retained and enhanced to visually reduce the built form. (En)*
- Conservation of natural vegetation and biodiversity. (En)*
- Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)*
- To preserve and enhance the rural and bushland character of the area. (En, S)*
- Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)*

The required controls to achieve the outcomes are to limit residential development in order to maintain a minimum landscaped area of 60% of the site area.

The proposal will see the retention of 87.1% of the site are soft landscaped area.

D11.12 Fences – General

The controls seek to achieve the outcomes:

- To achieve the desired future character of the Locality. (S)*
- To ensure fences compliment and conserve the visual character of the street and neighbourhood.*
- To define the boundaries and edges between public and private land between areas of different function.*
- To contribute positively to the public domain.*
- An open streetscape that allows casual surveillance of the street. (S)*
- Fences, where provided, are suitably screened from view from a public place. (S)*
- Safe sight distances and clear view of the street (including to and from driveways), for motorists and pedestrians. (S)*
- To ensure heritage significance is protected and enhanced. (S)*
- To ensure an open view to and from the waterway is maintained. (S)*

The proposal will provide for the retention of the sissy fences, with a new paling fence provided on the western boundary to a height of 1.8 m. All fencing will be carried out in accordance with the Dividing Fences Act 1991 and discussions with the adjoining neighbours.

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

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

7.2 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

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Pittwater 21 Development Control Plan 2014.

The application has been prepared having regard to the requirements of Section B, Section C and Section D of the Pittwater 21 DCP.

It is considered that the proposed design respects the aims and objectives of the DCP however we note that the Environmental Planning and Assessment Amendment Act 2012 No 93 (Amendment Act) which received assent on 21 November 2012 commenced on 1 March 2013.

Key amongst the amendments are requirements to interpret DCPs flexibly and to allow reasonable alternative solutions to achieve the objectives of DCP standards.

The new section 3.42 provides that the 'principal purpose' of DCPs is to 'provide guidance' on:-

- giving effect to the aims of any applicable environmental planning instrument
- facilitating permissible development
- achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 4.15(3A) which:

- prevents the consent authority requiring more onerous standards than a DCP provides,
- requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying DCP provisions with which a development application does not comply,
- limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

7.4 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

No matters of relevance are raised in regard to the proposed development.

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

No matters of relevance are raised in regard to the proposed development.

7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for the demolition of the existing structures and construction of a new proposed two storey dwelling with garage and off street parking and turning, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 and Council's Codes and Policies, in particular the Pittwater 21 DCP 2014 and the North Narrabeen Locality Statement.

7.7 The suitability of the site for the development

The subject land is currently zoned R2 Low Density Residential under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

7.8 Any submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the demolition of an existing dwelling and associated structures and the construction of a new two storey dwelling which will incorporate a double garage with a new driveway access from Powderworks Road and with a turning area to allow vehicles to enter and leave the site in a forward direction.

The proposal is a site-specific design response which takes advantage of the properties superior locational attributes whilst respecting the environmental characteristics of the site and the amenity of adjoining development.

The outcome is a modernised dwelling of exceptional design quality which displays an articulated building form which appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the siting and design of adjoining development in relation to privacy, solar access and views.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining neighbour's amenity and by complimenting the existing style and character of the surrounding locality, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

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