

# Statement of Environmental Effects

1 INTO LOT SUBDIVISION AND  
CONSTRUCTION OF 2 DWELLINGS  
26 RIVERVIEW ROAD,  
AVALON BEACH  
25 MARCH 2021



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## QUALITY ASSURANCE

PROJECT:	SEE - Subdivision and 2 x dwelling houses.
ADDRESS:	26 Riverview Road, Avalon Beach
LOT/DP:	Lot 5 in DP 28164
COUNCIL:	Northern Beaches Council
AUTHOR:	Think Planners Pty Ltd

## Document Management

<i>Prepared by:</i>	<i>Purpose of Issue:</i>	<i>Date:</i>
SR/JW	Draft Issue	2 March 2021
<i>Reviewed by:</i>	<i>Purpose of Issue:</i>	<i>Date:</i>
SR/JW	Final	23 March 2021

## Integrated Development (under S4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?

Fisheries Management Act 1994	No
Heritage Act 1977	No
Mine Subsidence Act 1992	No
Mining Act 1992	No
National Parks and Wildlife Act 1974	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No
Concurrence	
SEPP 64- Advertising and Signage	No
SEPP Coastal Management 2018	No
SEPP (Infrastructure) 2007	No
SEPP (Major Development) 2005	No
SREP (Sydney Harbour Catchment) 2005	No



## EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of an application for the subdivision of 1 into 2 lots, the construction of a new dwelling on the front lot and an extension of the dwelling on the rear lot at 26 Riverview Road, Avalon Beach. The proposal also involves the removal of 3 trees on the site.

A breakdown of the proposal is provided below.

### Demolition

The development proposes the demolition of the existing front dwelling on the site. The rear dwelling is to be retained.

### Torrens Title Subdivision

The development proposes a 1 into 2 lot subdivision resulting in a battle-axe lot arrangement.

#### Lot 1 (front lot)

The front lot has an area of 710.4m<sup>2</sup>, with vehicular access provided directly via Riverview Road.

#### Lot 2 (rear lot)

The rear lot is a battle-axe lot with an area of 700m<sup>2</sup>, with vehicular access provided by an access handle from Riverview Road.

#### Access handle

The access handle has an area of 132.6m<sup>2</sup>.

### Dwelling construction

#### Lot 1

Construction of a new 2 storey dwelling house.

Ground floor: Predominantly contains the active living areas including, an open kitchen, dining and living space which connects directly to the deck, outdoor dining and pool. The ground floor also contains a study, guest bedroom, bathroom and double width garage accessed via a proposed single width vehicle crossover via Riverview Road.

First Floor: The first floor predominantly contains the dormant areas, with 4 bedrooms inclusive of a master bedroom with balcony, ensuite bathroom and WIR. A bathroom and lounge room are also provided on this level.

## Lot 2

Retention of the existing single storey dwelling, with alterations and additions resulting in a two storey dwelling.

Ground floor: Predominantly contains the active living areas including, an open kitchen, dining and living space which connects directly to the deck and private open space area. The ground floor also contains a guest bedroom with study, bathroom and double width garage accessed via a proposed single width vehicle crossover via Riverview Road.

First Floor: The first floor predominantly contains the dormant areas, with 3 bedrooms inclusive of a master bedroom with balcony, ensuite bathroom and WIR. A bathroom, media room and study are also provided on this level.

The subject site is large allotment that is accessed from Riverview Road and has a total site area of 1543m<sup>2</sup>. The site current contains 2 x single storey dwellings.

The subject site is zoned E4 Environmental Living, with a height limit of 8.5m under Pittwater Local Environmental Plan 2014. 'Dwellings' and 'Subdivision' is permitted with consent within the E4 Zone. The proposal complies with the minimum subdivision lot size of 700m<sup>2</sup> and is consistent with the definition and specific controls contained in this instrument for Dwellings.

Located within an established residential area, the immediate built form character is characterised by residential dwellings of varying age and style, with a number of contemporary large scale dwellings recently constructed within the locality.

The development seeks to utilise the land in accordance with the zoning and has been designed to align with the provisions of Pittwater Local Environmental Plan 2014 and Pittwater Development Control Plan 2014. As detailed further in this statement the development proposal is consistent with the planning controls applying to the site and represents an efficient use of well-located land.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

## SITE AND LOCALITY

The site is commonly known as 26 Riverview Road, Avalon Beach and legally known as lot 5 in DP 28164. The site is accessed via a single width vehicle crossover from Riverview Road.

The subject site is a deep rectangular shaped land parcel with an irregular shaped frontage to Riverview Road. The site is located on the eastern side of Riverview Road, opposite the intersection of Riverview Road and Paradise Avenue. The subject site has a site area of approximately 1543m<sup>2</sup>.

The immediate built form character is characterised by residential dwellings of varying age and style, with a number of contemporary large scale dwellings recently constructed within the locality. The site current contains 2 x single storey dwellings.

The aerial extract of the locality provided below gives context to the development site.

**Figure 1: Aerial Map of Subject Site (Source Six maps)**

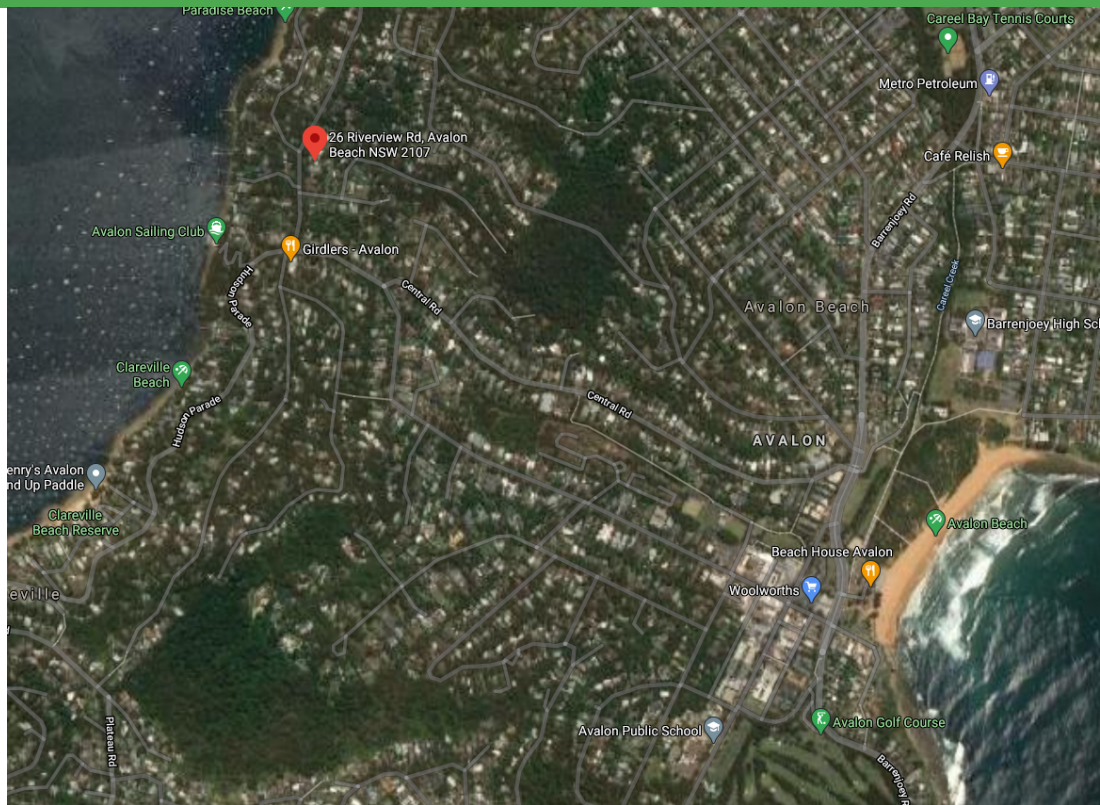



 - Subject Site

The wider locality is largely characterised by 1-2 storey residential dwellings, with commercial and retail stores located at Avalon Beach (approximately 1.7km from the subject site). An aerial extract of the wider locality is provided overleaf.



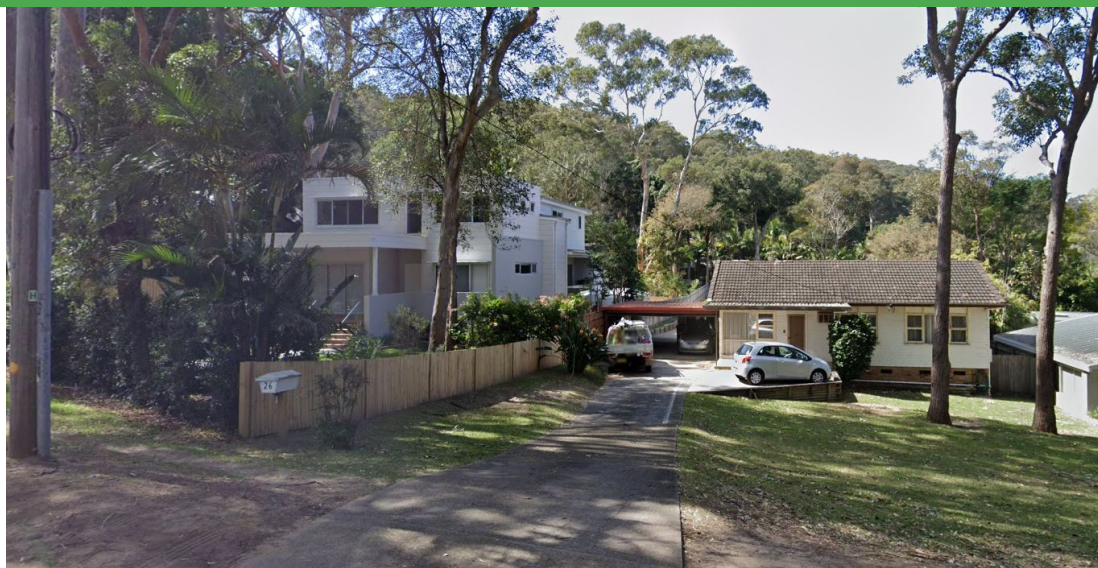
**Figure 2: Aerial Map of the wider locality (Source Google Maps)**



 - Subject Site

Photographs of the subject site and the surrounding area are provided below.

**Photograph 1:** Shows the existing subject site and front dwelling (to be demolished), viewed from Riverview Road and the relationship to the new adjoining dwelling.





**Photograph 2:** Shows the existing rear dwelling (to be retained with alterations and additions to create a first floor addition)



**Photograph 3:** Shows the recently subdivided site with a contemporary 2 storey dwelling constructed on the front lot adjoining the site's northern boundary (30 Riverview Road).





**Photograph 4:** Shows the recently subdivided site with a contemporary 2 storey dwelling constructed on the rear lot adjoining the site's northern boundary (30a Riverview Road).



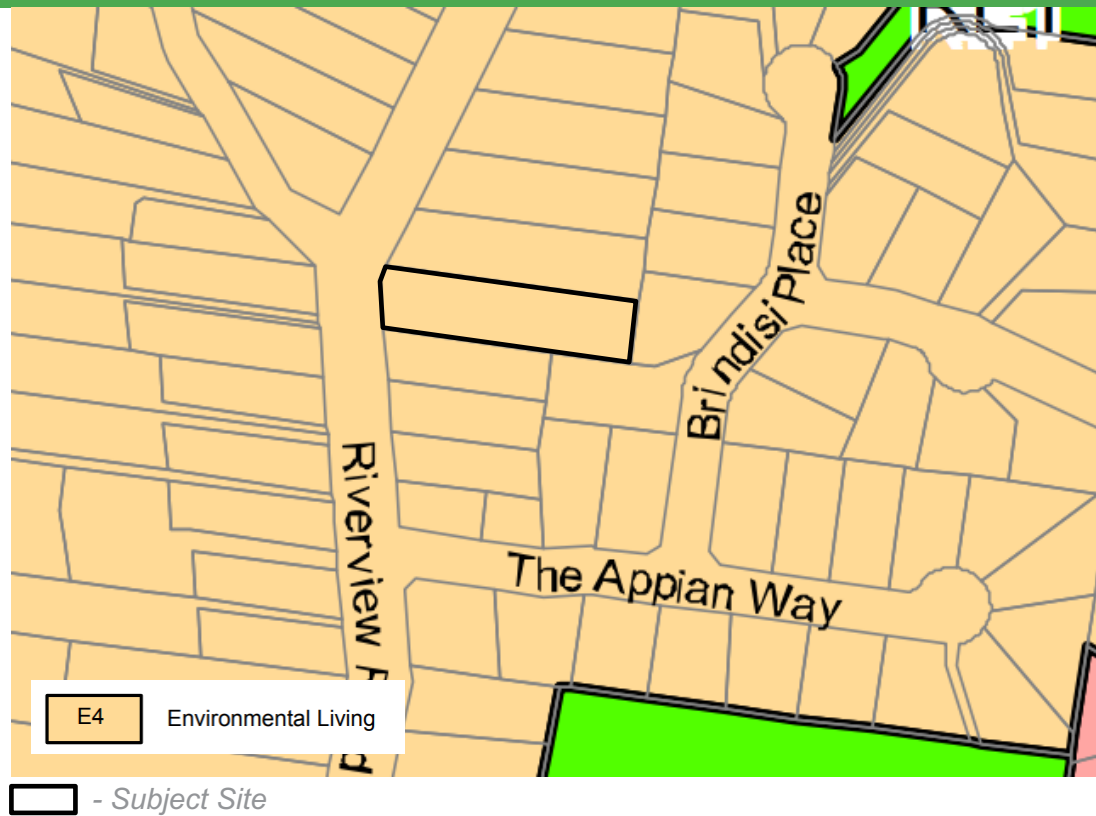
**Photograph 5:** Shows the dwelling adjoining the site's southern boundary (24 Riverview Road, Avalon Beach).



## LAND ZONING

As illustrated by the map extract from the Pittwater Local Environmental Plan 2014, the site is zoned as E4 Environmental Living.

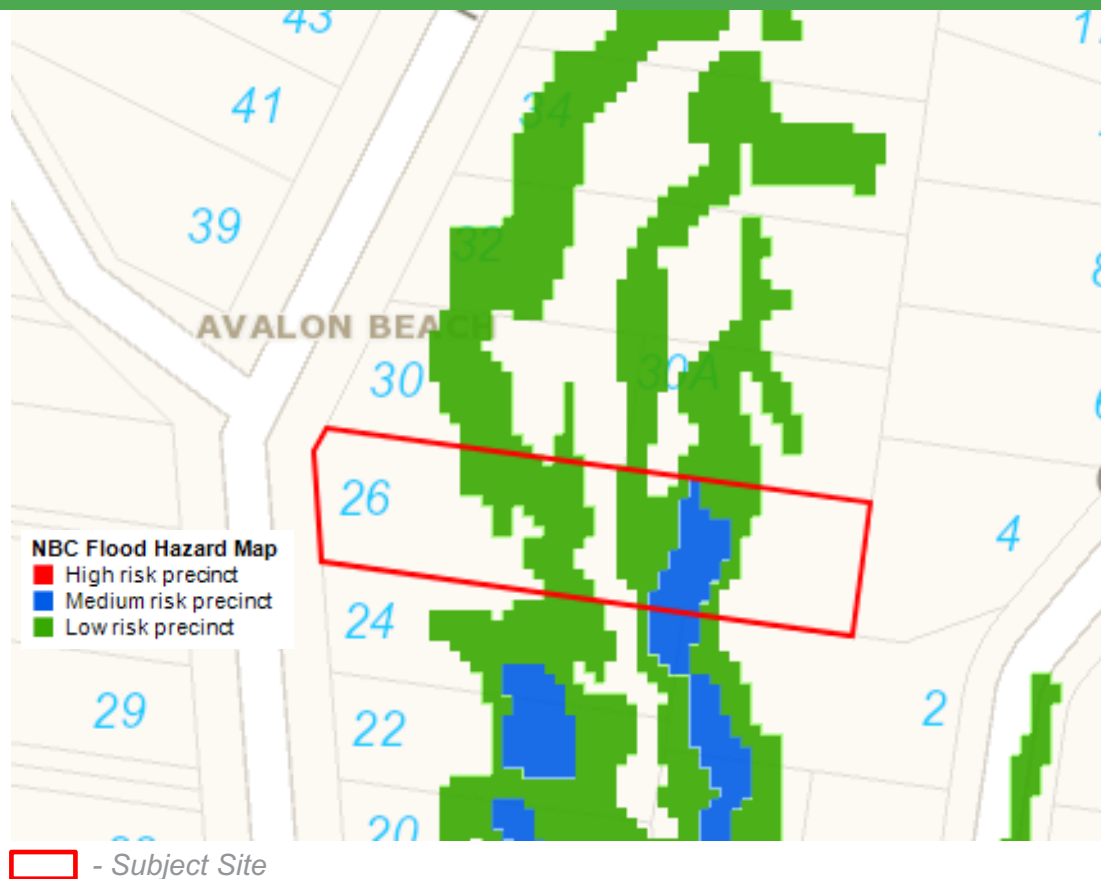
**Figure 3:** Extract of the land zoning map. Source: Pittwater Local Environmental Plan 2014 (LZN\_016).



## FLOOD HAZARD

As per the map extract below, the site is identified as partially containing low risk and medium risk flood precincts.

**Figure 4:** Extract of the Northern Beaches Council Flood Hazard Map.



The development has been designed in accordance with the DCP requirements as per the discussion provided at the end of this report and the detailed flood impact assessment report that has been prepared by SDS Engineering that outlines:

*“This report has considered the impacts of flooding with respect to the proposed dual-occupancy development at 26 Riverview Road Avalon Beach. Considerations include flood related development controls specified by Northern Beaches Council, as well as any potential adverse impacts on adjoining properties.*

*Consideration has been given to finished floor levels, built form and materials, flood hazard, evacuation and material storage. Construction must be undertaken in strict accordance with the recommendations made herein for compliance with relevant flood planning controls.” (SDS Engineering 2021, pg 13).*

## DESCRIPTION OF PROPOSAL

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### **Tree Removal**

The proposal is supported by an Arborist Report that deals with the issue of tree removal on the site. The proposal seeks to remove a total of 3 trees as follows:

- Tree 1: Grey Gum (Street Tree). Which is proposed to be removed to facilitate the driveway access and the Arborist Report indicates the health of the tree is 'fair' with significant concern on the trunk formation. It is noted that it is proposed to replace this with 2 new street trees.
- Tree 2: Swamp Mahogany Gum: Located in the front setback and within the building footprint. It is proposed to provide 2 x replacements to offset this removal.
- Tree 3: Swamp Mahogany Gum: Located in the front setback and within the building footprint. It is proposed to provide 2 x replacements to offset this removal.

Given the 3 trees to be replaced, and the 6 new trees to be planted this is considered acceptable when having regard to the content of the tree assessment.



## PLANNING CONTROLS

### STATUTORY CONTROLS

The relevant Statutory Planning Controls include: -

- State Environmental Planning Policy No. 55 – Contaminated Land;
- State Environmental Planning Policy BASIX;
- State Environmental Planning Policy – (Vegetation in Non-Rural Areas) 2017;
- State Environmental Planning Policy (Infrastructure) 2007; and
- Pittwater Local Environmental Plan 2014.

### POLICY CONTROL

The applicable policy control document is: -

- Pittwater Development Control Plan 2014

## CONSIDERATION OF PLANNING CONTROLS

A summary of the compliance of the proposal with the relevant planning controls is provided below.

### STATE ENVIRONMENTAL PLANNING POLICY BASIX

Introduced on 1 July 2004, BASIX is an integral part of the NSW planning system. It assists in reducing potable water consumption and greenhouse gas emissions from new homes built in NSW.

The application has been assessed and is accompanied by a complying BASIX certificate that demonstrates how the dwelling will utilise 40% less energy and water than a typical dwelling pre Basix.

### STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – CONTAMINATED LAND

Clause 7 of SEPP 55 provides:

*(1) A consent authority must not consent to the carrying out of any development on land unless:*

*(a) it has considered whether the land is contaminated, and*

*(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*

*(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The requirement at clause 7 of SEPP 55 for Council to be satisfied that the site is suitable or can be made suitable for the proposed development is considered in the following table.

Matter for consideration	Yes	No
Does the application involve re-development of the site or a change of land use?		X The use remains a residential use in a residential zone
Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	X	
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site?		X

acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation

Is the site listed on Council's Contaminated land database?	X
Is the site subject to EPA clean-up order or other EPA restrictions?	X
Has the site been the subject of known pollution incidents or illegal dumping?	X
Does the site adjoin any contaminated land/previously contaminated land?	X
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	NA.

There is no information that would indicate that the site is contaminated. Based on the available information there is nothing to warrant further investigation in relation to contamination at this stage.

## STATE ENVIRONMENTAL PLANNING POLICY – (VEGETATION IN NON-RURAL AREAS) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) was introduced in August 2017. This SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The development proposes the removal of 3 indigenous trees. However, the trees are to be adequately replaced by trees of the same species as per the Construction Impact and Management Statement prepared for the development. See the report for detail.

The proposal provides landscaping embellishing work. The development proposes the planting of a variety of species of trees, shrubs and groundcover that will improve and enhance the subject site than what currently exists and will positively contribute to the cohesiveness and visual appreciation of the area whilst provides relief from the built form and softening the impact of the development. See the attached landscaping plan for details.

#### **STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007**

In accordance with clause 45, it is not anticipated that Council will refer the application to an electricity supply authority as works will not occur within 5m of an exposed overhead electricity power line.

In accordance with clause 86, the application is not required to be referred to Trains NSW as the proposal is not in the vicinity of rail infrastructure. Given the distance from the underground Rail infrastructure and in accordance with clause 87, an acoustic and vibration report is not required to be prepared.

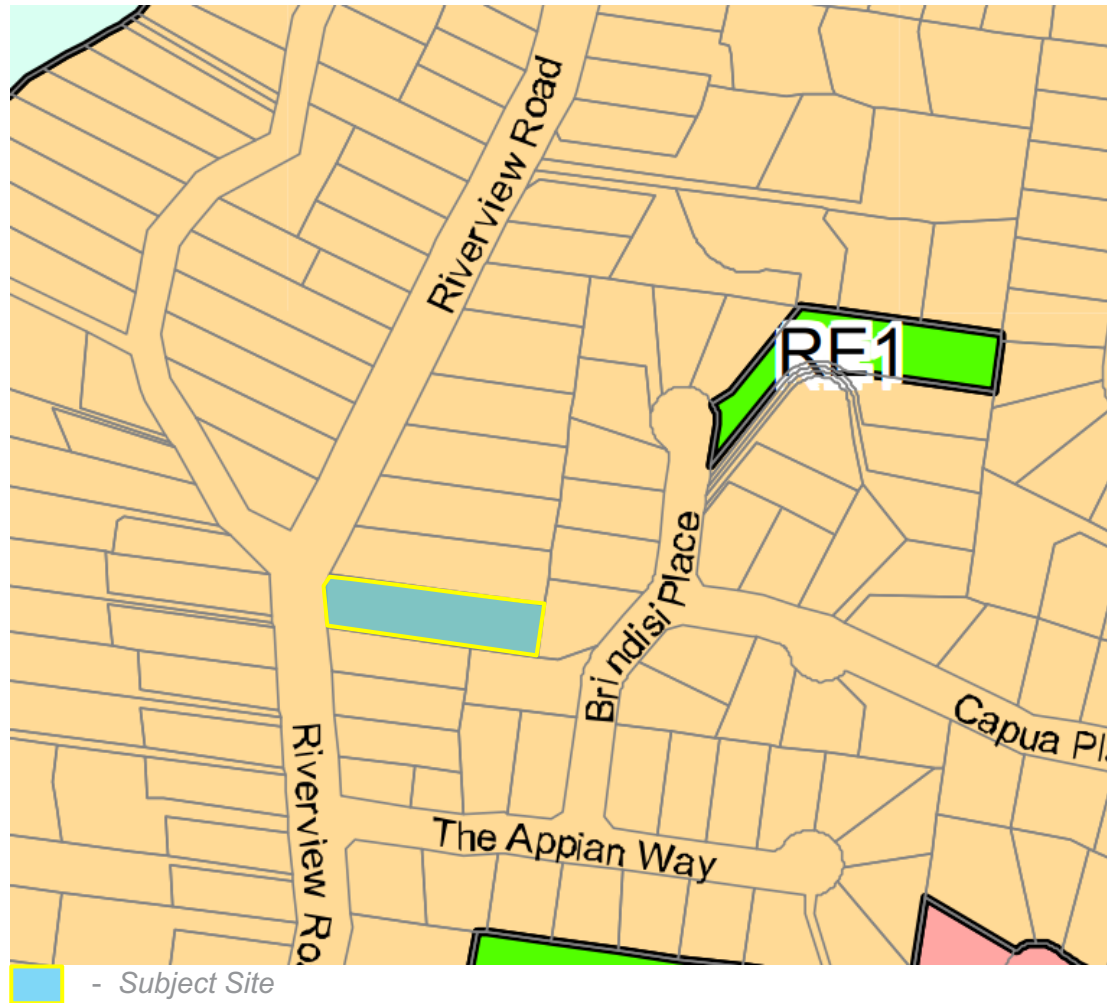
The development site is not located within proximity to a classified road and as a result it is not necessary to consider the provisions of Clause 102 of the SEPP that requires a consent authority to consider the impact of arterial roads on buildings used for residential purposes.

Clause 104 identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as 'traffic generating development'. The current proposal is not identified as traffic generating development as the site does not trigger the threshold requirements. Therefore, concurrence from the RMS is not required.

## PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

The development site is zoned E4 Environmental Living as per the zoning map extract below.

Figure 5: Zoning Map Extract LZN\_016 (Source: Pittwater LEP 2014).



*Dwelling houses* are permitted with consent by PLEP 2014 and the proposal is consistent with the definitions contained within this instrument.

**dwelling house** means a building containing only one dwelling.

The proposal is considered to be consistent with the definition of a dwelling house.

The development proposal is also consistent with the prescribed zone objectives that are stipulated as:

- *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.*

The development is a residential development that will result in a minimal environmental impact.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Pittwater Local Environmental Plan 2014 – Compliance Table			
Clause	Controls	Comment	Complies
<b>Zoning</b>	E4 – Environmental Living	Dwellings are permissible with Council consent in the E4 Environmental Living Zone.	YES
<b>Part 2 Permitted or Prohibited Development</b>			
<b>2.3</b>	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the E4 Environmental Living zone, proposing an appropriately scaled development that will have a minimal impact on the environment.	YES
<b>2.6</b>	Subdivision – Consent Requirements	<p>The development proposes torrens title subdivision of the site into 2 allotments.</p> <p>The subdivision will not result in a secondary dwelling being located on a separate lot as the proposal involves 2 x dwellings on the site.</p>	YES
<b>2.7</b>	Demolition Requires Consent	This development seeks consent for the demolition of the existing front dwelling on the site.	YES

#### Part 4 Principal Development Standards

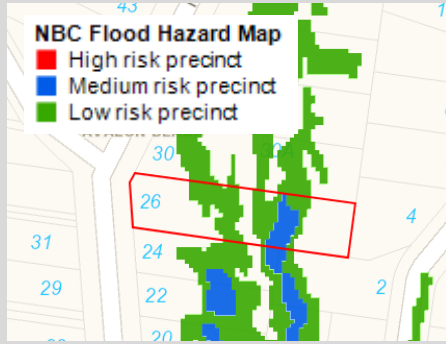
4.1	Minimum subdivision lot size 700sqm	The development complies with this requirement, noting that the subdivision will result in two lots exceeding 700m <sup>2</sup> . Lot 1: 710.4m <sup>2</sup> ; and Lot 2: 700m <sup>2</sup> .  This excludes the area of the access handle which is excluded from the calculation of the lot size for each respective lot.	YES
4.3	Height of Buildings	The site is identified as having a maximum height limit of 8.5m, under the Pittwater LEP 2014.  The development is to be fully contained within the 8.5m maximum height limit.	Yes
4.4	Floor Space Ratio	The site is not identified as having a mapped FSR.	N/A
4.5A	Density controls for Certain Residential Accommodation	The proposal is not a land use type included in this clause.	N/A

#### Part 5 Miscellaneous Provisions

5.10	Heritage Conservation	There are no European or aboriginal heritage restrictions on the site or within its immediate vicinity. Not applicable.	N/A
5.11	Bushfire Hazard Reduction	The site is not identified as containing Bushfire Prone Land.	N/A

#### Part 7 Additional Local provisions

7.1	Acid Sulfate Soils	The subject site is identified as containing class 5 Acid Sulfate Soils, under the Pittwater LEP 2014. The development will not result in the lowering of the water table.	Yes
7.2	Earthworks	The development proposes minimal earthworks that will not result in a large impact.	Yes

7.3	Flood Planning	<p>The subject site is identified as containing flood prone land.</p>  <p>A flood impact assessment report has been prepared by SDS Engineering that outlines: <i>"This report has considered the impacts of flooding with respect to the proposed dual-occupancy development at 26 Riverview Road Avalon Beach. Considerations include flood related development controls specified by Northern Beaches Council, as well as any potential adverse impacts on adjoining properties.</i></p> <p><i>Consideration has been given to finished floor levels, built form and materials, flood hazard, evacuation and material storage. Construction must be undertaken in strict accordance with the recommendations made herein for compliance with relevant flood planning controls."</i> (SDS Engineering 2021, pg 13).</p>	Yes
7.5	Coastal risk planning	The site is not identified on the map.	N/A
7.6	Biodiversity	<p>Before determining a development application for development on land to which this clause applies, the consent authority must consider:</p> <p>(a) whether the development is likely to have:</p> <p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p>	YES

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and  
(iv) any adverse impact on the habitat elements providing connectivity on the land, and  
(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.  
(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:  
(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or  
(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or  
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

<b>7.7</b>	Geotechnical Hazards	The site is not identified on the map.	N/A
<b>7.10</b>	Essential Services	<p>The existing dwelling on the site is serviced and has connections to water, sewer, electricity and telecommunication services.</p> <p>it is considered that the site is appropriate serving, noting that the proposal will not increase demand for these services.</p>	Yes

## PITTWATER DEVELOPMENT CONTROL PLAN 2014

The table below provides detail on the development standards relevant to the current proposal.

Pittwater Development Control Plan 2014			
Clause	Controls	Comment	Complies
Section B – General Controls			
<b>B2.2</b>	Subdivision – Low Density Residential Areas		
	<i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum lot depth of 27 metres.</i>	Complies.	
	<i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 1 on the Landscaped Area Map shall have a minimum lot width at the building line of 16 metres.</i>	Complies.	
	<i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 2 or 3 on the Landscaped Area Map shall have a minimum lot width at the building line of 15 metres.</i>	N/A	
	<i>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum lot width at the building line of 9 metres at the waterfrontage.</i>	N/A	
	<i>Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not unreasonably impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.</i>	Complies.	
	<i>A person shall not subdivide land if the allotment(s) intended to be created have a slope in excess of 16.7 degrees (30%), measured between the highest and lowest</i>	Complies.	



	points on any such allotment(s).		
	The minimum area for building shall be 175m <sup>2</sup>	Complies.	
<b>B3.11</b>	Flood Prone Land	See discussion at the end of this table.	Yes
<b>B3.12</b>	Climate Change (Sea Level Rise and Increased Rainfall Volume).	There are currently 2 dwellings on the site, therefore the development will not result in an increase of the number of dwellings and this clause is not applicable.	N/A
<b>B6 Access and Parking</b>			
<b>B6.2</b>	Internal Driveways 3m required.	The access driveway has a minimum width of 3m.	Yes
<b>B6.3</b>	Off street parking requirements  2 spaces for existing dwelling	The development requires two carparking spaces per dwelling.  A double garage is provided per dwelling.  Accordingly, the development complies with this control.	Yes
<b>Section C – Development Type Controls</b>			
<b>C1 Design Criteria for Residential Development</b>			
<b>C1.1</b>	Landscaping All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species.  At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site.  Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m <sup>3</sup> within this area to ensure growth is not restricted.  The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:  60% for a single dwelling house	The development has been designed to comply with these requirements.        The development has a front setback area of 109.3m <sup>2</sup> and is therefore required to provide 65.6m <sup>2</sup> of it as landscaped area.  71m <sup>2</sup> of the front setback is landscaped and therefore the development is compliant with this control.	Yes

	Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.	Complies.	
<b>C1.2</b>	<b>Safety and Security</b>	The development is to be designed compliant with the CPTED requirements.	Yes
<b>C1.4</b>	<b>Solar access</b>		
	The main private open space of each 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.	Complies.	Yes
	Windows to the principal living area 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 (that is, to at least 50% of the glazed area of those windows).	Complies- see shadow diagrams and 3d modelling that shows solar access is maintained in the morning period to the adjoining property	Yes
	Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid-winter.	Complies.	Yes
<b>C1.5</b>	<b>Visual Privacy</b>		
	Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).	The primary living areas are designed to adopt a rear orientation and the edges of the elevated balcony to the primary POS to the front dwelling adopts a vertical batten privacy screen to assist in mitigating privacy impacts. The first floor balconies are also designed to focus over the site itself, facing towards the front or the rear of the site and not the side boundaries. Therefore, only 1.2m high horizontal screening is to be provided. Edge screens could form a condition if deemed necessary by Council.	Yes
	Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.	Complies.	Yes

<b>C1.6</b>	Acoustic Privacy	<p>The dwellings have been designed with noise-sensitive rooms located away from potentially noisy areas.</p> <p>Noise generating plants including pool/spa motors, air conditioning units and the like do not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.</p>	Yes
<b>C1.7</b>	Private Open Space  Minimum 80m <sup>2</sup> of private open space per dwelling at ground level, with no dimension less than 3 metres.	<p>Private open space is provided in a usable well-located area on the site.</p> <p>Each dwelling is provided with a private open space area of 80m<sup>2</sup> with minimum dimensions of 3m.</p>	Yes
<b>C1.9</b>	Accessibility  Development within areas subject to flooding must provide for access on land within private ownership. In this regard ramps must not encroach into the public domain.	<p>Given the site is subject to flooding, the development provides appropriate access to the dwellings.</p>	Yes
<b>Section D – Locality Specific Development Controls – D1 Avalon Beach Locality</b>			
<b>D1.1</b>	<b>Character as viewed from a public place.</b> Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.  Walls without articulation shall not have a length greater than 8 metres to any street frontage.  Any building facade to a public place must incorporate at least two of the following design features: <ul style="list-style-type: none"> <li>i. entry feature or portico;</li> <li>ii. awnings or other features over windows;</li> </ul>	<p>The dwellings are provided with design elements to result in a positive street presence.</p> <p>Complies.</p> <p>Complies.</p>	Yes

- iii. verandahs, balconies or window box treatment to any first floor element;
- iv. recessing or projecting architectural elements;
- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

The building proposes a design that minimises the bulk and scale of the building when viewed from the street.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

The garages are in line with the front building line and constructed of a colour and material that will not dominate the site noting it is 5.98m wide which is less than the 7.5m control and less than 50% of the lot frontage to Lot 1.

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

An appropriate landscape design is provided which will integrate the building into the streetscape and reduce the bulk and scale of the building.

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

Complies.

General service facilities must be located underground.

Complies.

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











Complies.

#### D1.4

Scenic Protection – General Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

The site is not mapped as within a scenic protection area..

Yes

D1.5	<p>Building Colours and Materials</p> <p><b>Controls</b> External colours and materials shall be dark and earthy</p> <div data-bbox="419 360 767 568">  Black ✓  Dark grey ✓  Dark brown ✓  Mid grey ✓  Brown ✓  Dark blue ✓ </div> <p>White, light coloured, red or orange roofs and walls are not acceptable</p> <div data-bbox="419 618 767 734">  White ✗  Light blue ✗  Orange ✗  Light grey ✗ </div> <p>Finishes are to be of a low reflectivity.</p>	<p>The proposal adopts light colours and tones that do not comply with the DCP. However the adjoining property to the north adopts a similar colour palette (shades of white) as shown in Photograph 2 and 3 and the proposal is consistent with that colour palette which is therefore considered to be acceptable for this site and the context in which the development sits.</p>	Variation
D1.8	<p>Front Building Line land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living = 6.5m, or established building line, whichever is the greater</p>	<p>The development provides a 6.5m front setback and complies.</p>	Yes
D1.9	<p>Side and rear building line Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living = 2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)</p>	<p>The dwellings are provided with setbacks of at least 2.5m to one side and 1m for the other side.</p> <p>Rear setbacks of 6.5m are provided.</p>	Yes
D1.11	<p>Building Envelope Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).</p>	<p>The development varies this requirement, as per the provided elevations. This variation should be considered on merit, as the variation is largely a result of the topography of the site (with the site sloping from the northern boundary towards the south). The northern portions of the building predominantly comply with the envelope (only a minor portion exceeding the envelope), and the southern portion of the building exceeds the envelope by a greater amount due to the site sloping downwards to the south of the site.</p> <p>The south elevation is designed with a high level of articulation and landscape buffering, which will reduce the visual bulk of the façade when viewed from the street.</p>	Minor Variation

		Furthermore, the building is consistent with the built form of Riverview Road and the wider locality.	
<b>D1.14</b>	<p>Landscaped area – Environmentally Sensitive Land</p> <p>The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.</p> <p>The use of porous materials and finishes is encouraged where appropriate.</p> <p>Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.</p>	<p>The proposed landscape provision is as per below;</p> <ul style="list-style-type: none"> <li>• Lot 1: 359m<sup>2</sup> or 50.5%,</li> <li>• Lot 2: 427m<sup>2</sup> or 61%.</li> </ul> <p>It is noted that as per the prior assessment report for the site it noted that only 50% was required and the proposal complied with the provision- hence the 50% has been used on the front lot and then 61% achieved to the rear lot. See page 12 of the DA assessment report for DA2020/0770 which further supported a 10% departure to the front lot as approved.</p>	Yes- Based on Prior Council Assessment
<b>D1.15</b>	<p>Fences</p> <p><u>a. Front fences and side fences (within the front building setback)</u></p> <p>Front and side fences (within the front building setback) shall:</p> <ul style="list-style-type: none"> <li>• not exceed a maximum height of 1 metre above existing ground level,</li> <li>• shall be compatible with the streetscape character, and</li> <li>• not obstruct views available from the road.</li> </ul> <p>Front fences and landscaping should allow people in their homes to view 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</p>	<p>The development proposes front fencing which exceeds 1m above the existing ground level for portions of the frontage.</p> <p>The variation is a result of the sloping topography of the across the site. Portions of the fencing are compliant with the 1m control, but as the natural ground level drops, portions of the front fencing exceed the 1m maximum (up to 1.5m). Given the variation is a result of the topography, it should be assessed on merit.</p> <p>The proposed fencing will not obstruct view available from the road. The views from Riverview Road are to the west, towards Pittwater Bay. The site is located on the eastern side of Riverview Road and therefore, will not obstruct views from the road.</p> <p>The upper level of the front dwelling overlooks the street, providing passive surveillance of Riverview Road.</p>	Variation

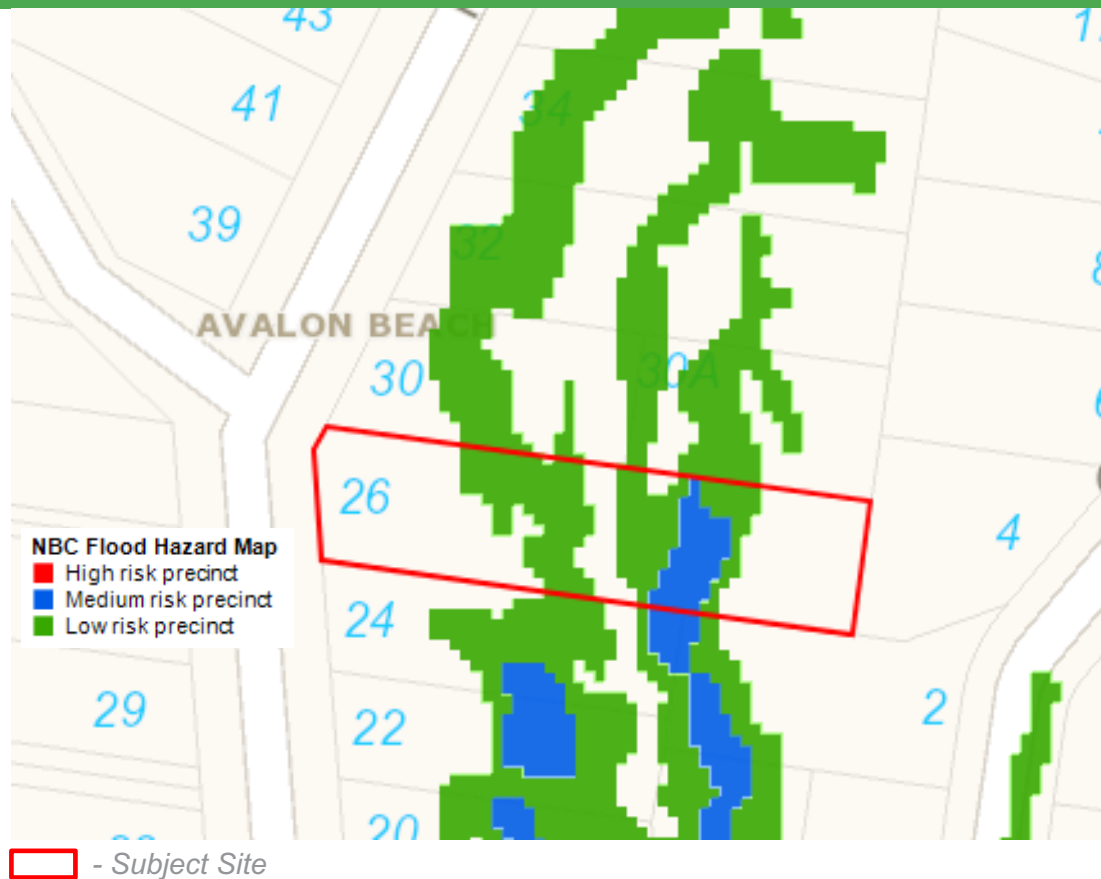
	posts shall be conserved.	The front fencing is to be constructed of sandstone, but the fencing for pedestrian and vehicular access is to be constructed of panels which will allow visual permeability.
	<u>b. Rear fences and side fences (to the front building line)</u>	
	Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.	Existing side boundary fences are to be maintained by the proposal.
	<u>g. Fencing on land identified on Council's Flood Hazard Maps</u>	
	No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.	Complies.
	All fences in High Flood Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.	
<b>D1.17</b>	Construction, retaining walls, terracing and undercroft areas	Yes
	Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.	Noted.
	Retaining walls and terracing shall be kept to a minimum. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.	Noted.
	In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.	Provided.
	Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.	Complies.



### B3.11 FLOOD PRONE LAND

As per the map extract below, the site is identified as partially containing low risk and medium risk flood precincts.

**Figure 6:** Extract of the Northern Beaches Council Flood Hazard Map.



The DCP requirements under clause B3.11 are addressed within the flood impact assessment report prepared for the site by SDS Engineering (pg, 7-11). See the report for detail.

## CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents with the exception of those discussed in detail previously in this statement. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the building information certificate is submitted to Council for assessment and granting of consent. Think Planners Pty Ltd recommends the approval of the certificate, subject to necessary, relevant and appropriate conditions of consent.