



STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations and
additions to dwelling**

**55 Robertson Road,
Scotland Island**

Suite 1, 9 Narabang Way Belrose NSW 2085
Phone: (02) 9986 2535 | Fax: (02) 9986 3050 | www.bbfplanners.com.au

RESPONSIBLE FOR THIS REPORT:

Michael Haynes

Director - BBF Town Planners

Masters Urban and Regional Planning Sydney University

August 2020

NOTE: This document is Copyright. Apart from any fair dealings for the purposes of private study, research, criticism or review, as permitted under the Copyright Act, no part may be reproduced in whole or in part, without the written permission of Boston Blyth Fleming Pty Ltd, 1/9 Narabang Way Belrose, NSW, 2085.

TABLE OF CONTENTS

TABLE OF CONTENTS	3
1 Introduction	4
1.1 Overview.....	4
1.2 Statement of Environmental Effects.....	4
2 Site Analysis	5
2.1 Site Description.....	5
2.2 Features of the site and its development.....	5
2.3 Zoning and key environmental considerations.....	5
3 Description of Proposed Development	10
4 Environmental Assessment	11
4.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979.....	11
5 Section 4.15 (1)(i) the provisions of any environmental planning instrument	12
5.1 Pittwater Local Environmental Plan 2014.....	12
5.2 Part 4 of LEP – Developmental Standards.....	13
5.3 State Environmental Planning Policies.....	15
5.3.1 State Environmental Planning Policy (Coastal Management) 2018.....	16
5.3.2 State Environmental Planning Policy - BASIX.....	19
5.3.3 State Environmental Planning Policy No 55 – Remediation of Land.....	19
5.3.4 SEPP (Vegetation in Non-Rural Areas) 2017.....	19
5.4 Bushfire prone land - Rural Fires Act 1997.....	20
6 Development Control Plan	21
6.1 Overview.....	21
6.1.1 Lower Western Foreshores and Scotland Island Locality.....	21
6.2 Principal built form controls.....	22
7 Section 4.15 the Environmental Planning and Assessment Act 1979	28
8 Conclusion	29

1 Introduction

1.1 Overview

This report accompanies and supports a Development Application (DA) for alterations and additions to the existing dwelling house at 55 Robertson Road, Scotland Island.

HAO Design has responded to the client's brief with an appropriate design that is responsive to the prevailing planning objectives for the site.

The proposed alterations and additions will make effective use of the existing residence by (principally) infilling and existing void undercroft space and create much needed additional accommodation to meet family needs. The proposal will not give rise to any significant or unreasonable adverse environmental consequences.

Overall, the proposal represents appropriate improvements to the land that will benefit the occupants, have a satisfactory impact on the surrounding amenity and is worthy of Council's approval.

1.2 Statement of Environmental Effects

This report is a Statement of Environmental Effects (SEE), pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal has been considered under the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

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

- Environmental Planning and Assessment Act, 1979
- Local Environmental Plan
- Relevant State Environmental Planning Policies
- Development Control Plan

The proposal is permissible and generally in conformity with the relevant provisions of the above planning considerations.

Overall, it is assessed that the proposed development is satisfactory, and the development application is worthy of Council's approval.

2 Site Analysis

2.1 Site Description

The site is located 55 Robertson Road, Scotland Island. It is legally described as Lot 122 in Deposited Plan 12749. The site has an area of 720.8m². The site is irregularly shaped with slightly angled boundaries and a water frontage.

2.2 Features of the site and its development

The key features of the site and its development include:

- The land is developed with a split-level weatherboard residence with metal roof, within a treed, hillside, waterfront, setting, with access arrangements via the waterway and a private jetty.
- The site and the adjoining properties have a northern orientation to the Pittwater waterway which is the principle access point to the property.
- The property is sloping with a level difference of approximately 20m between the rear boundary (Robertson Road) and site's water frontage (RL 21 to RL 0.93).
- The existing development is serviced by an onsite wastewater disposal system which will be maintained by the proposal.
- Some advanced growth canopy trees are located at the front (north) of the property and will not be affected by the proposal.
- Aside from a low height deck, no works are proposed to the north (Pittwater frontage) of the existing dwelling.

Figures below depict the character of the property and its existing development.

2.3 Zoning and key environmental considerations

The property is zoned E3 Environmental Management under the Pittwater Local Environmental Plan 2014 (LEP) as is most of the surrounding urban land.

The site is not affected by key environmental considerations like, for example, coastal hazard, heritage, and flood. The property is affected by bushfire, waterways, acid sulfate soils, geotechnical risk, and biodiversity. These matters are addressed within Section 5 of this report.

There are no zoning or environmental characteristics that present impediments to the improvements proposed to the land.

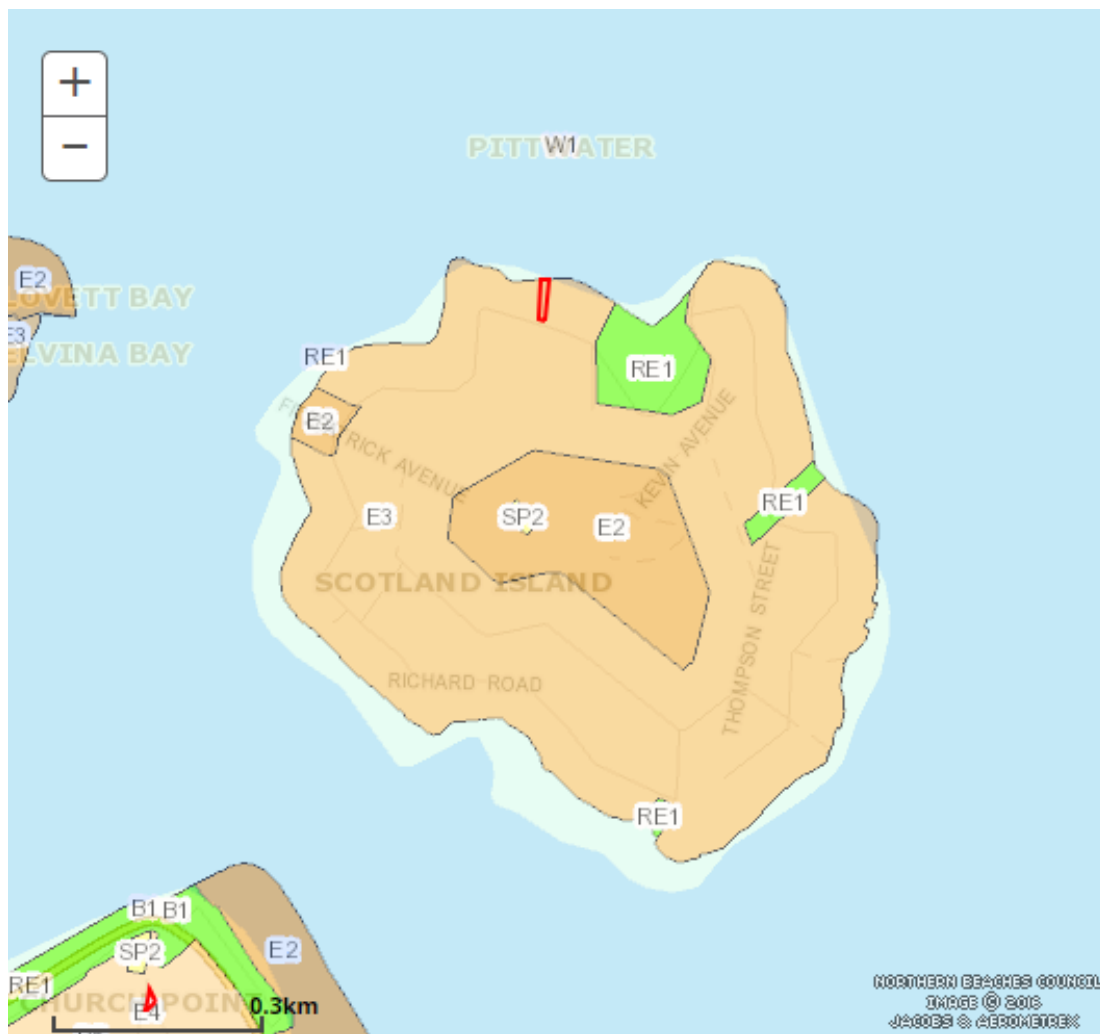
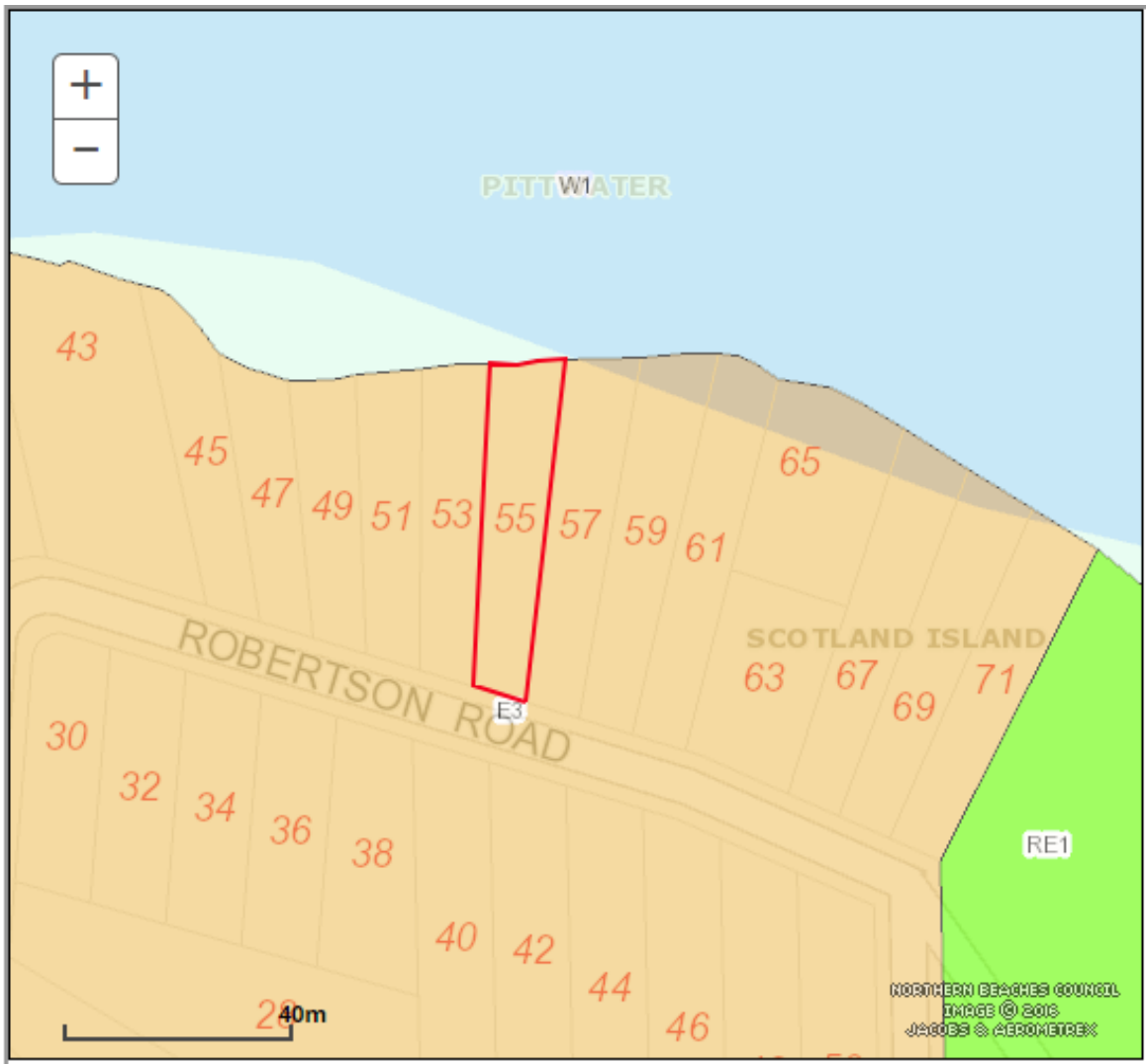


Figure 1 - Location of the site within its wider context (courtesy Northern Beaches Council)



PITTWATER LAND ZONING MAP

Figure 2 - Location and zoning of the site courtesy Northern Beaches Council



Figure 3 –alignment, orientation and spatial layout of the subject site and adjoining dwellings (courtesy Six Maps)

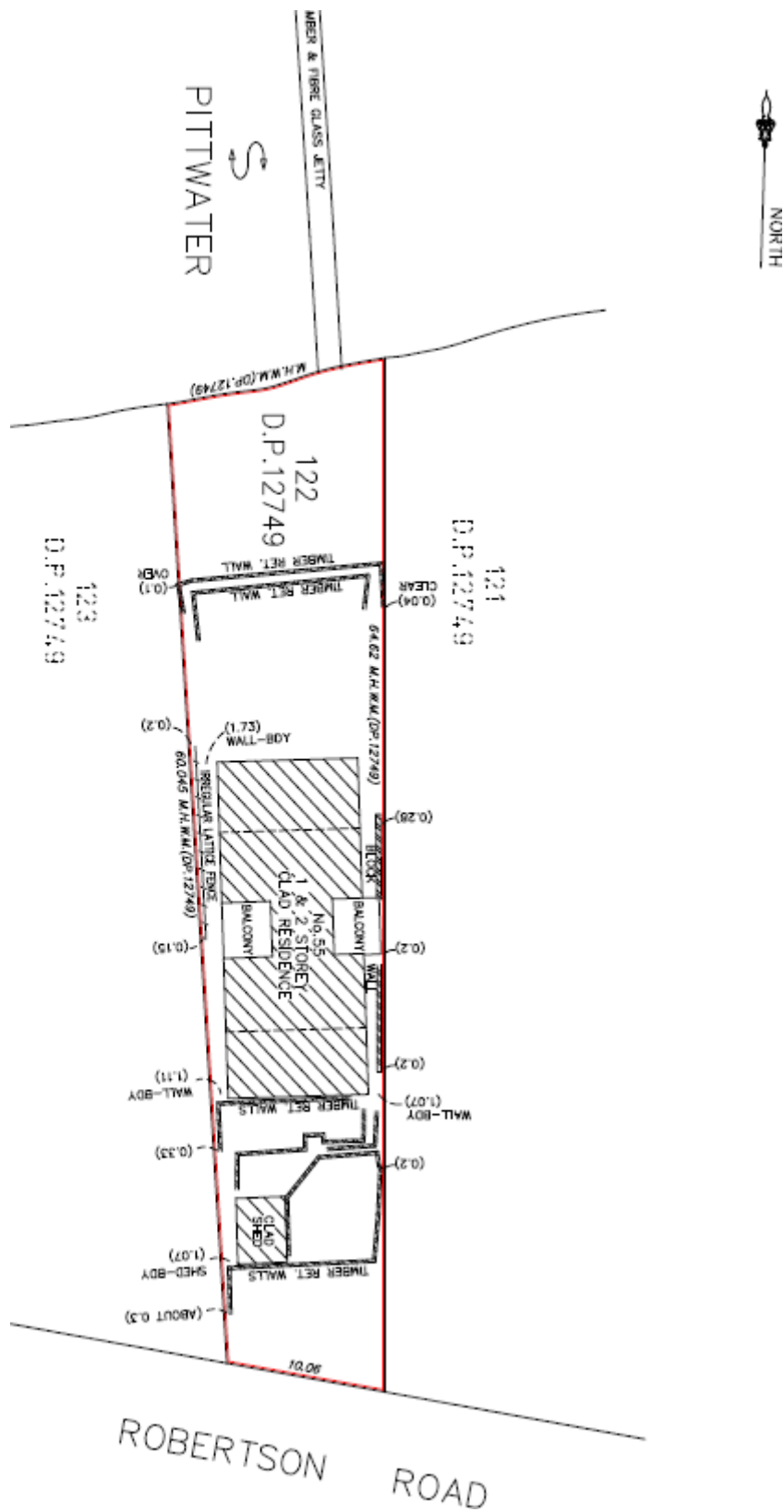


Figure 4 – subject site (excerpt from land survey)

3 Description of Proposed Development

The application seeks development consent for alterations and additions to the property at 55 Robertson Road, Scotland Island.

The proposed alterations and additions are depicted in the accompanying architectural plans by HAO Design. A breakdown of the key aspects of the proposal are noted as follows:

Ground Floor Level –

- Privacy wall to western side of existing front (north) balcony and BBQ space
- Deck and entry stair to the front (north) of the property
- Extend existing rumpus room to infill existing undercroft / void and provide internal stair to connect to upper levels

Upper Ground Floor Level –

- Enclose existing western side balcony to accommodate new internal stairway
- Alterations to existing internal walls as marked within the architectural plans
- Alterations to window and door openings as marked within the architectural plans
- Enclose existing eastern side balcony and entry porch and convert to walk-in-pantry
- Glazed roof over stairwell

Waste water disposal

- No additional wastewater demand will be generated by the proposal and the existing wastewater system will be maintained on the property.

Expert inputs

The application is accompanied and supported by the following expert inputs:

- Architectural Plans by HAO Design Pty Ltd
- Town Planning report - by BBF Town Planners
- Survey – (detailed and identification) by Waterview
- Bushfire assessment report by - Planning for Bushfire Protection- Ronald Coffey
- Geotechnical Engineers Assessment - by White Geotechnical Group

4 Environmental Assessment

4.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979

The following section of the report assesses 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.

Under the provisions of the Environmental Planning and Assessment Act 1979 (the Act), the key applicable planning considerations, relevant to the assessment of the application are:

- Pittwater Local Environmental Plan 2014
- State Environmental Planning Policies – as relevant
- Pittwater Development Control Plan

The application of the above plans and policies is discussed in the following section of this report.

The application has been assessed against the relevant heads of consideration under Section 4.15 of the Act; a summary of these matters are addressed within Section 5 of this report, and the town planning justifications are discussed below.

5 Section 4.15 (1)(i) the provisions of any environmental planning instrument

5.1 Pittwater Local Environmental Plan 2014

As previously noted, the site is zoned E3 Environmental Management pursuant to the provisions of the Pittwater Local Environmental Plan 2014 (LEP).

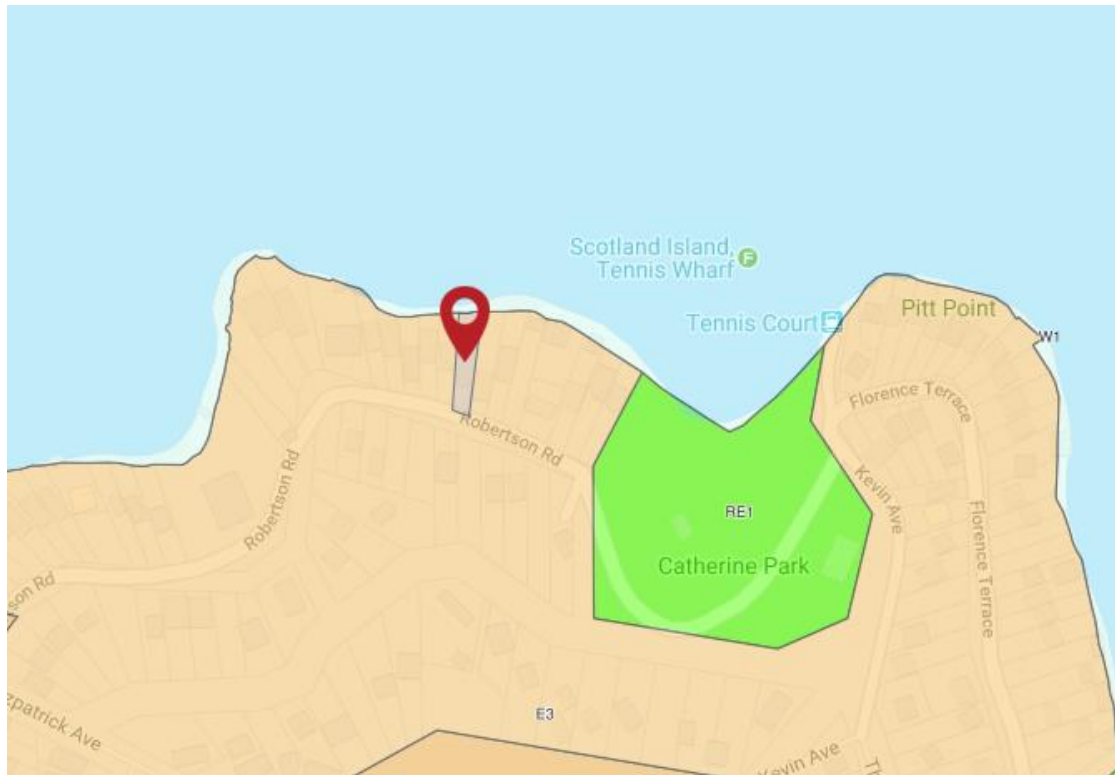


Figure X- zone excerpt – NSW Planning Portal

The proposal constitutes alterations and additions to the existing dwelling. The proposal is permitted within the zone with Development Consent.

Clause 2.3(2) of the LEP requires the consent authority to 'have regard to the objectives for development in a zone' in relation to the proposal. The objectives of the zone are stated as follows:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that 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 and not visually prominent.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

- *To ensure the continued viability of ecological communities and threatened species*

We have formed the considered opinion that the proposed development is consistent with the zone objectives as it retains a residential development on the site which is *low density and scale, integrated with the landform and landscape and not visually prominent*. The proposal will not give rise to any unacceptable impacts. Furthermore, the proposal will provide for the housing needs of the community within an established low-density residential setting. Accordingly, the proposal has had sufficient regard to the zone objectives and there is no statutory impediment to the granting of consent.

5.2 Part 4 of LEP – Developmental Standards

Other provisions of the LEP that are relevant to the assessment of the proposal are noted and responded to as follows:

LEP Provision	Response	Complies
Part 4 of LEP – Principal Development Standards		
LEP Clause 4.1 Minimum subdivision lot size	5,800m ²	Yes
LEP Clause 4.3 – Height of Buildings	The proposed additions are under 8.5m in maximum building height as scaled from the architectural plans and complies with this standard.	Yes
LEP Clause 4.4 – Floor space ratio		NA
LEP Clause 4.6 – Exceptions to development standards	NA	NA
Part 5 of LEP – Miscellaneous Provisions		
LEP Clause 5.4 Controls relating to miscellaneous permissible uses	NA	NA
LEP Clause 5.10 Heritage Conservation	NA	NA
Part 6 of LEP – Additional Local Provisions		
LEP Clause 7.1 Acid sulfate soils	The land is within an area designated as being Class 5 on Council’s Acid Sulfate Soils Map. However, the land is not below 5 metres Australian Height Datum; the proposed dwelling is at RL 12.6 (AHD) and involves minor excavation for foundations. Accordingly, the Circumstances do not trigger the need for a preliminary geotechnical assessment for acid sulphate soil conditions. The provisions of clause 7.1 are assessed as being satisfied by the proposal.	Yes
LEP Clause 7.2 Earthworks	The siting and design of the proposed development has considered the matters within clause 7.2(3) of the LEP and results	Yes

SECTION 4.15 (1)(I) THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

LEP Provision	Response	Complies
	<p>in appropriate outcomes against these criteria. Furthermore, the proposal is accompanied by a geotechnical assessment that concludes that the proposal is appropriate for the site.</p> <p>Based on the above the proposed development satisfies the coastal planning considerations within clause 7.5 and the site is suitable for the development proposed.</p>	
<p>LEP Clause 7.6 Biodiversity</p>	<p>Pursuant to Clause 7.6, the site is identified on the biodiversity map.</p> <p>The proposal is involves infilling an existing undercroft area, within the existing dwelling house footprint and the addition of a modest sized deck over a terraced section of yard to the north of the dwelling. No trees or natural areas will be impacted by the proposed works. Therefore, it is considered that the proposed development is suitably located to avoid characteristics of biodiversity value. The proposal is unlikely to have an adverse impact on the condition and ecological value of natural characteristics of the property, and is unlikely to impact on elements that provide connectivity on the land.</p> <p>Based on the above the provisions of clause 7.6 are assessed as being satisfied by the proposal.</p>	<p>Yes</p>
<p>LEP Clause 7.7 Geotechnical hazards</p>	<p>Pursuant to Clause 7.7, the site is identified on the geotechnical hazards map. The DA is accompanied and supported by a geotechnical assessment report which certifies the capacity of the land to accommodate the proposed development. Therefore, the provisions of this clause are satisfied by the proposal.</p>	
<p>LEP Clause 7.8 Limited development on foreshore area</p> <p><i>The LEP defines foreshore area as 'the land between the foreshore building line and the mean high water mark of the nearest natural waterbody shown on the <u>Foreshore Building Line Map</u>'.</i></p>	<p>The site is dissected by the foreshore building line and is subject to the provisions of clause 7.8 of the LEP. No development is nominated by the proposal within the foreshore area. Furthermore, the proposed room addition is significantly setback from the designated foreshore area.</p>	

LEP Provision	Response	Complies
<p>Key provisions -</p> <p><i>(2) Development consent must not be granted for development on land in the foreshore area except for the following purposes:</i></p> <p><i>(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, but only if the development will not result in the footprint of the building extending further into the foreshore area,</i></p> <p><i>(b) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).</i></p>	<p>Based on the above the provisions of this clause are satisfied by the proposal.</p>	

5.3 State Environmental Planning Policies

5.3.1 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP) is applicable to the site. The following key aspects are noted:

Clause 20 permits Secondary Dwellings within the R2 Low Density Residential zone.

Clause 22(3)(b) limits Secondary Dwellings to 60m².

Clause 22(4) of the SEPP states that:

'A consent authority must not refuse consent to development to which this Division applies on either of the following grounds:

if:

(a) site area (ii) the site area is at least 450 square metres

(b) parking - if no additional parking is to be provided on the site'.

In response:

The proposed Secondary Dwelling does not exceed 60m².

The site is in excess of 450 square metres.

No car parking is proposed specific to the proposed Secondary Dwelling, therefore this cannot be a reason to refuse the DA.

The proposed development complies with these provisions and there is no impediment to the granting of consent.

5.3.2 State Environmental Planning Policy (Coastal Management) 2018

The Coastal Management Act 2016 establishes a strategic planning framework and objectives for land use planning in relation to designated coastal areas within NSW. The Act is supported by the State Environmental Planning Policy (Coastal Management) 2018 which came into effect on 3 April 2018. It is applicable because the site is within the designated:

- Coastal environment area – Division 3 - Clause 13
- Coastal use area – Division 4 - Clause 14

As relevant to these affectations, the aims of the SEPP within clauses 13 and 14 addressed below. In summary, the proposal is assessed as being consistent with the aims and objectives of the SEPP.

Clause 13 Development on land within the coastal environment area

The provisions of clause 13 *Development on land within the coastal environment area* are addressed as follows:

13 Development on land within the coastal environment area	Response
(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:	
<i>(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i>	<ul style="list-style-type: none"> ▪ The land and its development for a residential dwelling is established on the site. ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(b) coastal environmental values and natural coastal processes,</i>	<ul style="list-style-type: none"> ▪ The land and its development are established on the site. The nature and extent of proposed alterations and additions is not likely to adversely impact on coastal values or processes. ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i>	<ul style="list-style-type: none"> ▪ The subject site is established for residential purposes. Development is established on the site. ▪ The proposal does not relate to <i>sensitive coastal lakes identified in Schedule 1</i> ▪ The land and the proposed works are suitably distanced from the foreshore and is unlikely to cause additional impacts on this consideration. ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i>	<ul style="list-style-type: none"> ▪ The subject site is established for residential purposes. Development is established on the site. Relatively modest alterations and additions are proposed by the subject DA.

13 Development on land within the coastal environment area	Response
	<ul style="list-style-type: none"> ▪ The proposal is assessed as satisfactory in relation to this consideration.
(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	<ul style="list-style-type: none"> ▪ The proposal will not adversely impact upon existing access provisions. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(f) <i>Aboriginal cultural heritage, practices and places,</i>	<ul style="list-style-type: none"> ▪ The proposal is not known to be located in a place of Aboriginal cultural heritage significance. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(g) <i>the use of the surf zone</i>	<ul style="list-style-type: none"> ▪ Not relevant to the assessment of the proposal. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:	
(a) <i>to the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or</i>	<ul style="list-style-type: none"> ▪ Responses have been made above in relation to the considerations within subclause (1). ▪ The proposal is assessed as satisfactory in relation to these considerations.
(b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	<ul style="list-style-type: none"> ▪ The proposal is assessed as satisfactory in relation to this consideration.
(c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i>	<ul style="list-style-type: none"> ▪ Aside from compliance with relevant codes, standard conditions of consent, and Australian Standards there are no other mitigation measures foreseen to be needed to address coastal impacts. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(2) <i>This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</i>	<ul style="list-style-type: none"> ▪ Noted; not applicable.

Clause 14 Development on land within the coastal use area

The provisions of clause 14 *Development on land within the coastal environment area* are addressed as follows:

14 Development on land within the coastal use area	Response
<p>(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:</p> <p>(a) has considered whether the proposed development is likely to cause an adverse impact on the following:</p>	
<p>(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</p>	<ul style="list-style-type: none"> ▪ The proposal will not adversely impact upon existing access provisions. ▪ The proposal is assessed as satisfactory in relation to this consideration.
<p>(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</p>	<ul style="list-style-type: none"> ▪ The proposal will not result in any significant or excessive overshadowing of the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore. ▪ Given the nature of development contained within the site and the local context, particularly the nature, scale, and siting of development within properties to the east and west along the foreshore, the proposal is assessed as satisfactory in relation to this consideration.
<p>(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</p>	<ul style="list-style-type: none"> ▪ The proposal will not result in any significant additional visual impact on the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore. ▪ The proposal is assessed as satisfactory in relation to this consideration.
<p>(iv) Aboriginal cultural heritage, practices and places, cultural and built environment heritage, and is satisfied that:</p>	<ul style="list-style-type: none"> ▪ The proposal will not impact this matter for consideration. The proposal is assessed as satisfactory in relation to this consideration.
<p>(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</p>	<ul style="list-style-type: none"> ▪ The proposal is not known to be located in a place of Aboriginal cultural heritage significance ▪ The proposal is assessed as satisfactory in relation to this consideration.
<p>(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p>	<ul style="list-style-type: none"> ▪ See above response.
<p>(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</p>	<ul style="list-style-type: none"> ▪ See above response.
<p>(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</p>	<ul style="list-style-type: none"> ▪ The subject site is established for residential purposes. Development is established on the site. Relatively modest alterations and additions are the subject of this DA.

14 Development on land within the coastal use area	Response
	<ul style="list-style-type: none"> ▪ The proposal will not result in any significant additional visual impact on the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(2) <i>This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</i>	<ul style="list-style-type: none"> ▪ Noted; not applicable.

5.3.3 State Environmental Planning Policy - BASIX

The proposed alterations and additions are less than \$50,000 in value and therefore are not BASIX affected development as prescribed. A BASIX assessment report does not need to accompany the application.

5.3.4 State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land. Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is extremely low given the following:

- Council's records indicate that site has only been used for residential uses.
- The subject site and surrounding land are not currently zoned to allow for any uses or activities listed in Table 1 of the contaminated land planning guidelines of SEPP 55.
- The subject site does not constitute land declared to be an investigation area by a declaration of force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

Given the above factors no further investigation of land contamination is warranted. The site is suitable in its present state for the proposed residential development. Therefore, pursuant to the provisions of SEPP 55, Council can consent to the carrying out of development on the land.

5.3.5 SEPP (Vegetation in Non-Rural Areas) 2017

Vegetation is prescribed under Pittwater DCP for the purposes of SEPP (Vegetation in Non-Rural Areas) 2017. The proposal does not involve the removal of any designated trees. A canopy tree is located to the east of the proposed northern deck and entry stair. Given the 'light weight' and permeable character of this proposed structure and the pad footings associated, a condition may reasonably be imposed to ensure that associated ground works be undertaken to not adversely impact upon the tree. Based on the above, the provisions of this policy are satisfied by the proposal.

5.4 Bushfire prone land - Rural Fires Act 1997

The site is within a bushfire prone area and subject to the provisions of the Rural Fires Act 1997. As a result, the proposal is accompanied and supported by a bushfire protection assessment report by Planning for Bushfire Protection.

Subject to compliance with the report's recommendations, the proposal satisfies planning for bushfire protection requirements.

6 Development Control Plan

In response to Section 4.15 (1)(iii) of the Act, the Pittwater Development Control Plan (DCP) is applicable to the property. Relevant provisions of the DCP are addressed below.

6.1 Overview

In response to D8.1 Character as viewed from a public place and D8.2 Scenic protection - General, the proposed alterations and additions:

- are compatible with the architectural form of the property and the landscape setting of the site.
- will complement the landscape quality and appearance of the site when viewed from public spaces on Robertson Road and Pittwater waterway;
- will be located within a landscaped setting and will be appropriately treated in terms of its materials and finishes to be compatible with the character of the property and the locality.

6.1.1 Lower Western Foreshores and Scotland Island Locality

The property is within the Lower Western Foreshores and Scotland Island Locality. The *Desired Character of the Locality* is copied below from the DCP:

Desired Character

The Lower Western Foreshores and Scotland Island 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. Development will be limited primarily due to the locality's remoteness and lack of vehicular access, but also due to the steepness of slope, proximity to the waterway, species and habitat diversity, and visual prominence. Community and recreational facilities will serve the community. Church Point will remain an important link to the offshore communities.

Future development is to be limited by the proximity of Ku-ring-gai Chase National Park, until it can be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. A proliferation of domestic animals should also be restricted on the Western Foreshores to ensure the survival of native animals that reside in the National Park but frequent the area from time to time.

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.

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.

Pedestrians will continue as the dominant desired land traffic within the locality. Private land based vehicles are to be discouraged on Scotland Island and not permitted on the Western Foreshores.

Pedestrian access within the locality will be maintained and upgraded, especially public access along the Pittwater foreshore.

This report demonstrates that the proposed alterations and additions have been designed to meet the desired future character of the Island Locality through its design, siting and its ability to sit compatibility within a landscaped setting.

6.2 Principal built form controls

A table demonstrating compliance with the relevant provisions of the DCP is detailed as follows. Where a numerical non-compliance is identified, this is addressed separately below the table.

▪ DCP			
Control	Requirement	Proposed	Complies
Part D: Locality Specific Development Controls			
Character as viewed from a public place	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.	<p>The proposed alterations and additions will improve the properties aesthetic qualities, noting the context and character of the surrounding development.</p> <p>The proposed additional room is located behind, the northern facade, of the existing dwelling. It will not be prominent, or indeed apparently visible, when viewed from the foreshore or waterway.</p> <p>The proposal will present appropriately to the surrounding land.</p>	Yes
Scenic Protection	Achieve the desired future character of the Locality.	The proposed alterations and additions will be within a landscaped	Yes

	<p>Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment.</p>	<p>setting, screened from the foreshore by the existing vegetation and development, and will present appropriately to the surrounding land.</p> <p>The proposed additional room is located behind, the northern facade, of the existing dwelling. It will not be prominent, or indeed apparently visible, when viewed from the foreshore or waterway.</p> <p>The proposal is of a character and scale that will be compatible with other dwellings within the site's context.</p>	
<p>Building Colours and Materials</p>	<p>The development enhances the visual quality and identity of the streetscape.</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. The visual prominence of the development is minimised. Damage to existing native vegetation and habitat is minimised.</p>	<p>The proposed alterations and additions will present appropriately to the public spaces and surrounding land.</p> <p>The proposed materials and finished will employ earthy tones, compatible with the location and context.</p>	<p>Yes</p>
<p>Front building line</p>	<p>6.5m or average of adjoining</p>	<p>No works proposed in this location</p>	<ul style="list-style-type: none"> ▪ NA
<p>Side and rear building line</p>	<p>Side:</p> <ul style="list-style-type: none"> ▪ 1.0m one side ▪ 2.5m to other side 	<p>Side setbacks</p> <p>Existing side setbacks to dwelling maintained</p> <ul style="list-style-type: none"> ▪ east - 1.45m to 1.6m ▪ west - 1.37m to 1.6m 	<ul style="list-style-type: none"> ▪ No*

	Rear: 6.5 m	<ul style="list-style-type: none"> ▪ Rear setback – NA because the foreshore building line applies 	<ul style="list-style-type: none"> ▪ NA
Side building line numerical exception	<p>* The proposed site setbacks are assessed as being in accordance with the outcomes of the control noting:</p> <p>The proposal involves the infilling of an existing undercroft / void space. No extension of the existing building envelope is proposed.</p> <p>The ‘infilling’ addition follows the setbacks established by the existing dwelling. It would be impractical and without any significant planning benefits to inset the walls to the space to achieve numerical compliance.</p> <p>No additional shadowing will result from the infilling of the existing undercroft space.</p> <p>Privacy has been appropriately addressed by the design (see comments below).</p> <p>Based on the above, there are appropriate circumstances to approve an exception to the numerical side building line control.</p>		
Building Envelope	3.5m at 45 degrees measured at the side boundary	Existing dwelling setbacks maintained. The proposal involves the infilling of an existing undercroft void space. No extension of the existing building envelope is proposed.	<ul style="list-style-type: none"> ▪ Yes
<p>Landscaped Area - General</p> <p>The site is within Area 1 on the Landscaped area Map</p>	<p>The maximum area not provided as landscaped area shall be 29% (for a site with an area between 700/749m²</p> <p>The maximum area not provided as landscaped area shall be in accordance with the following table: 720m² – 29% is the maximum area not provided as landscaped area, or in other words 71% landscaped area is required</p> <p><i>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</i></p> <p><i>impervious areas less than 1 metre in width (e.g. pathways and the like);</i></p> <p><i>for single dwellings on land zoned E3 Environmental Management, up to 6% of the total site area may be provided</i></p>	<p>Existing: 430.4 / 60%</p> <p>Proposed: 430.4 / 60%</p> <p>No change</p> <p>The outcomes of the control are assessed as being satisfied by the proposal.</p> <p>The proposed deck and stair (19.7m²) to the north of the dwelling is pervious and is less than 6% (43m²) of the total site area involving an unroofed landscape treatment that is part of the dwelling’s principle private open space and positioned less than one metre above the existing ground level. It is therefore appropriate to</p>	<ul style="list-style-type: none"> ▪ Yes

	<p><i>as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).</i></p> <p><i>Water tanks that provide reserve capacity and an approved adaptor for fire fighting purposes or waste water treatment systems that are not visible from Pittwater waterway can be included as landscaped area for the purpose of this control.</i></p>	include its area within the condition of landscaped area.	
Fences	NA	<ul style="list-style-type: none"> ▪ NA 	<ul style="list-style-type: none"> ▪ NA
Construction, Retaining walls, terracing and undercroft areas	NA	<ul style="list-style-type: none"> ▪ NA 	<ul style="list-style-type: none"> ▪ NA
Companion animals	NA	<ul style="list-style-type: none"> ▪ NA 	<ul style="list-style-type: none"> ▪ NA
Stormwater overflow	Reuse encouraged	No additional roof or impervious area proposed.	<ul style="list-style-type: none"> ▪ Yes
Parking management	<p>There is no privately owned motor vehicle access to the Western Foreshores. Only fire trucks and community vehicles are to be housed within community facilities.</p> <p>Privately owned motor vehicle access to Scotland Island is discouraged.</p>	Zero parking on site existing; zero proposed.	<ul style="list-style-type: none"> ▪ Yes
Site disturbance	Minimise site disturbance	Minimal site disturbance and no additional impervious areas are proposed.	<ul style="list-style-type: none"> ▪ Yes
Scenic Protection Category One Areas	Screen planting, maintain vegetation, provide canopy trees etc	As evident on the site survey, canopy trees are present to the north of the dwelling house. The proposal maintains existing canopy tree	<ul style="list-style-type: none"> ▪ Yes

		vegetation on the property.	
Part C: Development Type Controls			
Private Open Space (PoS) (C1.7 DCP)	80 m ² at ground floor 16 m ² (out of the 80m ²) must be provided off a principal living area of the dwelling. 4m x 4m min dimension and grade no steeper than 1 in 20 (5%)	Additional deck proposed to the north off the main living area and ground floor level. This will improve the connection between the main living and north facing private open space on the property.	<ul style="list-style-type: none"> ▪ Yes
Solar Access (C1.4 DCP)	Min 3 hours to each proposed dwelling within the site Min 3 hours to neighbouring dwellings PoS areas In accordance with Clause C1.4 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. Windows to the principal living areas of the proposal and the 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 area.	The proposal involves the infilling of an existing undercroft void space. No extension of the existing building envelope is proposed. It is concluded that the proposal will not significantly or unreasonably reduce the available sunlight to the adjoining properties and the provisions of the control have been satisfied.	<ul style="list-style-type: none"> ▪ Yes
Views	New development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	The proposal involves the infilling of an existing undercroft void space. No extension of the existing building envelope is proposed. Noting these characteristics, the proposal will achieve an appropriate view sharing outcome between the properties. The provisions of this control are satisfied by the proposal.	<ul style="list-style-type: none"> ▪ Yes
Privacy	DCP's objectives.	Privacy has been considered in the proposed design and	<ul style="list-style-type: none"> ▪ Yes

		<p>satisfies the DCP's visual privacy objectives.</p> <p>New openings within the side elevations have been kept to a minimum.</p> <p>The proposed north facing deck extends an existing private open space area and is at ground level. The deck will maintain the existing privacy relationship with adjacent properties.</p> <p>It is concluded that the proposal not significantly or unreasonably affect the visual privacy of the neighbouring properties.</p>	
Part B: General Controls			
B5.10 Stormwater Discharge into Public Drainage System.	<ul style="list-style-type: none"> ▪ Connected by gravity means to public drainage system. 	Connected to existing system by gravity means.	<ul style="list-style-type: none"> ▪ Yes

7 Section 4.15 the Environmental Planning and Assessment Act 1979

The proposal has been assessed having regard to the matters for consideration pursuant to S.4.15 of the Act and to that extent Council can be satisfied of the following:

- There will be no significant or unreasonable adverse built environment impacts arising from the proposed physical works on the site.
- The site is appropriate for accommodating the proposed development. The proposal has sufficiently addressed environmental considerations. There will be no significant or unreasonable adverse environmental impacts arising from the proposal.
- The proposal will result in positive social and economic impacts, noting:
 - Employment during the construction phase of the works;
 - Economic benefits, arising from the investment in improvements to the land;
 - Social (and environmental) benefits arising from the retention and the improvement of existing housing stock.
- The proposal is permissible and consistent with the objectives of the zone, pursuant to the LEP. The proposal satisfies the provisions of the relevant provisions of the council's DCP.
- It is compatible with the current and likely future character of development within the local context.
- It will not result in any significant unacceptable offsite impacts that limit the use or enjoyment of nearby or adjoining land.
- The proposal will have an acceptable impact when considering key amenity issues such as visual impact, views, overshadowing, noise and privacy.
- Given the site's location and established function, the site is assessed as being entirely suitable for the proposed development.
- The public interest is best served through the approval of the application.

8 Conclusion

The application seeks development consent for alterations and additions to the existing property at 55 Robertson Road, Scotland Island.

HAO Design Pty Ltd has responded to the client's brief with an appropriate design that is responsive to the prevailing planning objectives for the site.

The proposed alterations and additions will make effective use of the existing residence and provide much needed additional accommodation to meet the family's needs. The proposal represents appropriate improvements to the land that will benefit the occupants and have a satisfactory impact on the surrounding amenity.

This report demonstrates that the proposal is appropriately located and configured to complement the property's established character within its context. The proposal will not give rise to any significant or unreasonable adverse environmental consequences.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 and should be granted development consent.

BBF Town Planners



Michael Haynes
Director