



Corona Projects

Development Application
STATEMENT OF ENVIRONMENTAL EFFECTS

Construction of three-storey dwelling with adjoining swimming pool

50 Minkara Road, Bayview

April 2020

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PROJECT DETAILS

Client: Ms Miranda Wong
Subject land: 50 Minkara Road, Bayview
Lot Description: Lot 9, DP 28908
Proposed development: Construction of three-storey dwelling with adjoining swimming pool.

The report is prepared by Emma Rogerson
Bachelor of Architecture and Environments (USYD)
Town Planner




The report is reviewed by Judy Tran
Bachelor of Planning (USW)

Project Code: J000342

I certify that the contents of the Statement of Environmental Effects to the best of my knowledge, has been prepared as follows:

- In accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2000;
- The statement contains all available information that is relevant to the environmental impact assessment of the proposed development;
- To the best of my knowledge the information contained in this report is neither false nor misleading.

Quality Management

	Name	Date	Signature
Prepared by	Emma Rogerson	17/04/2020	
Checked by	Judy Tran	17/04/2020	
Approved for issue by	Emma Rogerson	17/04/2020	

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared for Ms Miranda Wong to accompany a Development Application (DA) to Northern Beaches Council for the construction of a three-storey dwelling with adjoining swimming pool and secondary dwelling at 50 Minkara Road, Bayview.

More specifically, the proposed development comprises the demolition of the existing dwelling house, garage, concrete driveway and sandstone retaining walls and the construction of a three-storey residential dwelling with double garage, swimming pool, attached secondary dwelling and minor fencing. The removal of 3 select trees of minor landscape value to upgrade the driveway is also proposed, one of which is a diseased *angophora costata*.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and in compliance with all relevant DCP and LEP objectives.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Document	Author	Date
Architectural Plans	Harrison Architecture	April 2020
Survey	C.M.S Surveyors	December 2017
Bushfire Report	BushCon	June 2019
Geotechnical Report	Douglas Partners	October 2019
Arborist Report	Naturally Trees	August 2019
Stormwater Plan	NB Consulting	April 2020
NatHERS and BASIX Certificate	Efficient Living	March 2020

2.0 SITE ANALYSIS & CONTEXT

2.1 The Site

The site is located at 50 Minkara Road, Bayview and is legally described Lot 9 in Deposited Plan 28908. The site is located on the eastern side of Minkara Road, between Captain Hunter and Araluen Place.



Figure 1 – Site locality map (Google Maps)

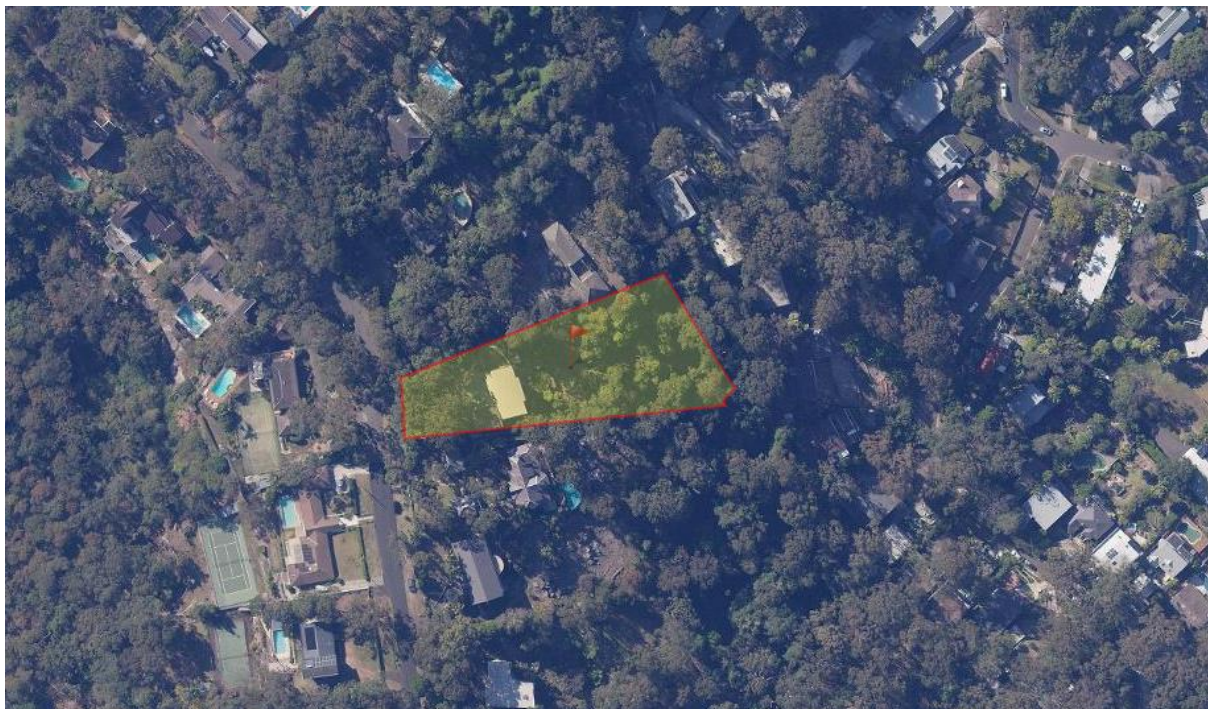


Figure 2 – Aerial map (SIX Maps)

The site is irregular with a total area of 4420 square metres by survey, with a 22.86 metre street frontage to Minkara Road. The northern side boundary measures 106.16 metres and the southern side boundary measures 121.75 metres. The rear boundary measures 50.7 metres. The site falls from

the street towards the rear by more than 30 metres. The dwelling is well hidden from the streetscape due to the steep slope, as highlighted in Figure 3. The site currently contains a two-storey brick house with a metal roof. A paved driveway is located to the front of the site, with landscaping of lawn, trees and shrubs surrounding the rest of the site. Vehicular access is available from Minkara Road.

The land is zoned R5 Large Lot Residential under the provisions of Pittwater Local Environmental Plan 2014 (PLEP 2014). The site is not located within a Heritage Conservation Area, nor is it identified as a Heritage Item. There are no nearby Heritage Conservation Areas or Items present.



Figure 3 – Subject site as viewed from Bronte Road (Google Maps, November 2013)



Figure 4 – Heritage Map (NSW Planning Portal)

2.2 The Locality

The site is located within the primarily residential area of Bayview. The locality comprises residential development of buildings heights typically of one to two storeys.

The site adjoins a two-storey rendered brick dwelling with a slate roof to the south at 48 Minkara Road, and a one-storey rendered house with a metal roof to the north at 52 Minkara Road. The large lot size results in a substantial setback between the dwellings on each neighbouring property.

2.3 Development History

A search on Council's DA Tracker returned the following results for development applications associated with the site:

- **Section 455 Modifications N0346/10/S96/2** - Alterations and additions to the existing dwelling. Modification involves minor external and internal alterations (Submitted: 01/11/2012)
- **Construction Certificate CC0271/12** - Stage 1 - Carport slab, reconfigure driveway, reconstruction of existing verandah & installation of septic tank (Submitted: 07/09/2012)
- **Section 455 Modifications N0346/10/S96/1** - Alterations and additions to the existing dwelling. The modification proposes replacement of existing roof with a skillion roof; enlarge bathroom and a secondary treated wastewater) (Submitted: 02/03/2011)
- **Development Application N0346/10** - Alterations and additions to the existing dwelling (Submitted: 24/06/2010)

3.0 THE PROPOSAL

3.1 Overview

The Development Application proposes demolition of the existing dwelling and 3 trees and the construction of a three-storey residential dwelling with attached secondary dwelling. More specifically, the proposed development comprises one residential dwelling with a double garage, open-plan indoor living/dining/kitchen space, attached granny flat and an outdoor swimming pool and alfresco area.

The proposal has been designed to relate to its site and to the streetscape in relation to appearance, envelope, setbacks, bulk and scale. The contemporary design utilises high quality materials and detailing to present an unobtrusive visual outcome for the locality. The three-storey development will be commensurate in height with the existing building and neighbouring properties along Minkara Road.

Please refer to plans prepared by Harrison Architecture.

3.2 Development Configuration

The proposed development comprises the following:

Level	Use
Lower Ground	Storage
	Laundry
	Swimming pool
	Pool Bathroom
	Outdoor timber deck, timber lookout area and pool alfresco area
	Undercover BBQ area
	Playroom
	Bedroom w/ ensuite x 2
Ground Floor	Kitchen/lounge/dining area
	Office
	Residential foyer
	Bedroom w/ ensuite
	Powder room
	Garden
	Double garage
	Verandah
	Driveway
	New Gate and native hedging
First Floor	Bedroom
	Bathroom
	Lounge w/ Kitchenette

First Floor

The first floor comprises of a self-contained secondary dwelling, accessible via a set of stairs from the hallway of the ground floor. The occupant can easily access the hallway of the ground floor from a side door, behind the garage.

Ground Floor

The ground floor contains an open plan living, dining and kitchen space with an adjoining verandah to the east overlooking nearby water at Salt Pan Cove. A double garage, bedroom with ensuite and office space can be accessed via a corridor from the dining space. The double garage can also be entered

by a roller door opening to the front of the site. Additional native hedging will be planted along the front boundary to a height of approximately 1 metre and a minimal timber gate with sandstone posts with a maximum height of 1.2m will provide secure access in and out of the site. The humble height and scale of the hedging and gate ensures water views and casual security surveillance is still maintained and additional bulk is not produced.

Lower Ground Floor

Two bedrooms with ensuites, a playroom and storage/laundry rooms are located on the lower ground floor. A timber deck, lookout space, swimming pool and barbeque area is situated along the eastern end of the floor. Primary access to this floor is available from a set of stairs between the ground and lower ground levels.

3.3 Numerical Overview

A brief numerical overview of the development parameters for the proposed development is included in the following table:

Table 1: Key development components

Component	Proposal
Site area	4420m ²
Height	3 storeys Approximately 7.93m
Boundary setbacks <ul style="list-style-type: none"> • Front • Side (north) • Side (south) • Rear 	Approximately >20m 2460mm 2150mm >64
Car spaces	3

4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

4.1 Statutory and Policy Compliance

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Affordable Rental Housing) 2009

- Pittwater Local Environmental Plan 2014
- Pittwater Development Control Plan 21

The primary statutory document that relates to the subject site and the proposed development is Pittwater Local Environmental Plan 2014. The primary non-statutory plan relating to the subject site and the proposed development is Pittwater Development Control Plan 21.

4.1.1 State Environmental Planning Policy No. 55 – Remediation of Land

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 7, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the residential purpose. Thus, there is no further consideration required under Clause 7(1)(b) and (c) of SEPP 55.

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

SEPP (BASIX) 2004 applies to the proposed development. 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.

4.1.3 State Environmental Planning Policy (Affordable Rental Housing) 2009

This policy applies to the subject development as a secondary dwelling (as defined under clause 19 below) is being proposed on the first floor in an R5 zone. The proposal is compliant with the relevant controls discussed below.

Clause 19. Definition:

In this Division:

development for the purposes of a secondary dwelling includes the following:

- (a) the erection of, or alterations or additions to, a secondary dwelling,
- (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

Note:

The standard instrument defines secondary dwelling as follows:

secondary dwelling means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Clause 20. Land to which Division applies:

This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but only if development for the purposes of a dwelling house is permissible on the land:

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone R5 Large Lot Residential.**

Clause 21. N/A

Clause 22. Development may be carried out with consent

Subclause	Comment	Compliance
(1) Development to which this Division applies may be carried out with consent.	-	n/a
(2) A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land, any dwelling other than the principal dwelling and the secondary dwelling -	The development will result in one (1) primary dwelling and one (1) secondary dwelling only.	Yes
(3) A consent authority must not consent to development to which this Division applies unless: (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under another environmental planning instrument, and, (b) the total floor area of the secondary dwelling is no more than 60 square metres or, if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, that greater floor area.	(a) Pittwater Local Environmental Plan 2014 stipulates no maximum Floor Space Ratio for this lot. (b) The secondary dwelling is less than 60 square metres. Thus, the proposal is permissible.	
(4) A consent authority must not refuse consent to development to which this Division applies on either of the following grounds: (a) site area, if: (i) the secondary dwelling is located within, or is attached to, the principal dwelling, or (ii) the site area is at least 450 square metres, (b) parking, if no additional parking is to be provided on the site.	(a) The secondary dwelling is attached to the principal dwelling and the site area is more than 450sqm. (b) One additional on-site parking space is required. Refer to part 6.3 for off-street parking requirements. (5) this proposal is still capable of consent.	
(5) A consent authority may consent to development to which this Division applies whether or not the	See (4) (b) above.	

development complies with the standards set out in subclause (4).		
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Clause 23. N/A

Clause 24. No subdivision

A consent authority must not consent to a development application that would result in any subdivision of a lot on which development for the purposes of a secondary dwelling has been carried out under this Division.

No subdivision is proposed.

4.1.4 Pittwater Local Environmental Plan 2014

The development complies with the provisions of Pittwater Local Environmental Plan 2014 (PLEP 2014).

Zoning and permissibility

The site is located in Zone R5 – Large Lot Residential

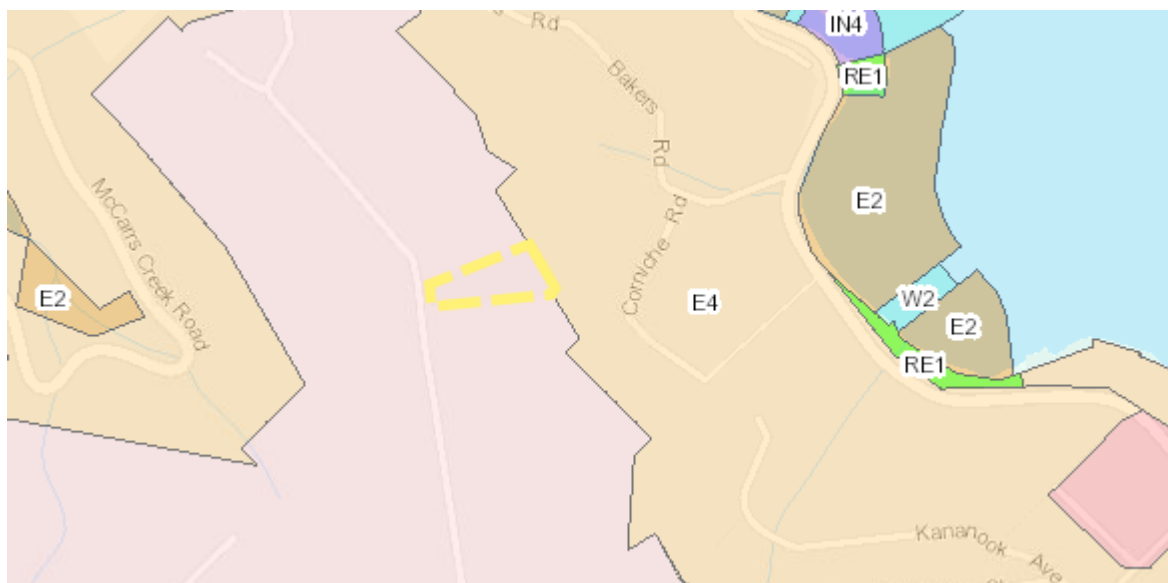


Figure 5 – Land Zoning Map (NSW Planning Portal)

The development is identified to be *residential* which is permitted with consent in the R5 zone.

The objectives of the zone are:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.

- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

The proposed development will provide a dwelling house and secondary dwelling capable of a range of suitable residential uses that will complement the existing uses within the local area of Bayview. The new development will be suitably integrated within the site, maintaining the heavy landscaping which is integral to the character of the streetscape. The owners and their family intend to occupy the dwelling house, with a live-in nanny residing within the secondary dwelling on the first floor.

Clause 4.3 Height of buildings

The Height of Building Map stipulates that the maximum building height permitted for the site is 8.5 metres. The proposed height of the development is 7.93 metres.

Clause 4.4 Floor space ratio

The Floor Space Ratio Map does not designate a specific floor space ratio figure for the subject site.

Clause 5.10 Heritage Conservation

The site does not contain any heritage items and it is not located within any Heritage Conservation Area. Nor is the site in close vicinity to either.

Clause 7.1 Acid Sulfate Soils

The site falls under Class 5 of Acid Sulfate Soils. In accordance with subclause (6), development consent can be granted despite no preparation of an Acid Sulfate Soils Management Plan required by subclause (3), as no works are likely to lower the watertable and the works involve the disturbance of less than 1 tonne of soil. The development will not disturb, expose or drain acid sulfate soils or cause environmental damage.

Clause 7.6 Biodiversity

The PLEP 2014 Biodiversity Map identifies the subject site to be located completely within a terrestrial biodiversity area. Therefore, in accordance with subclause 7.6(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.”*

The development has been sited over the footprint of the existing building with a minor 3% increase of built-upon area. . The 131 square metre increase of built-upon area is of inconsequential landscape and biodiversity value to the site and does not result in any significance adverse environmental impact. Thus, the objectives of the clause are met as native fauna, flora and their necessary ecological processes are protected and conservation and recovery of the natural environment is supported.

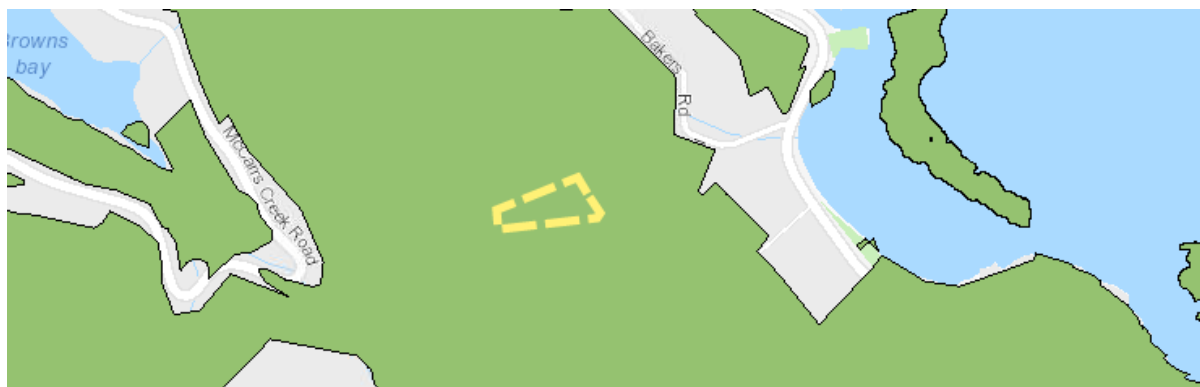


Figure 6 – Terrestrial Biodiversity Map (NSW Planning Portal)

7.7 Geotechnical Hazards

The PLEP 2014 Geotechnical Hazard Map classes the site within a Geotechnical Hazard H1 zone. The attached Geotechnical Report by Douglass Partners supports the development. In addition, the Stormwater Plan details the way in which the development will appropriately manage waste water, stormwater and drainage across the site and avoid any geotechnical risk.

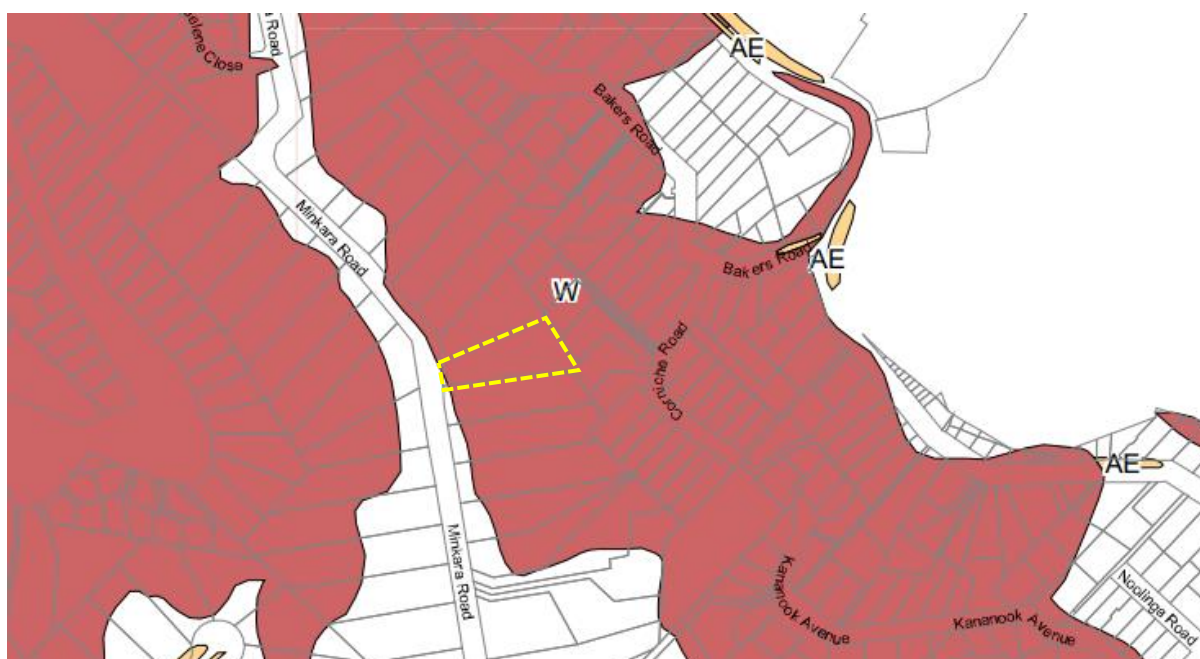


Figure 7 – Geotechnical Hazard Map (PLEP 2014, Map GTH_011)

4.1.5 Pittwater Development Control Plan 21

The development achieves a high level of compliance with the provisions of Pittwater Development Control Plan 21.

Control	Comment	Compliance
SECTION B – GENERAL CONTROLS		
B3 – Hazard Controls		
3.1 Landslip Hazard		
All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy (GRMP) for Pittwater (see Appendix 5).	The site is located within an affected area, defined by the GRMP for Pittwater. The requirements of the policy are met - refer to geotechnical report.	Yes
Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the GRMP for Pittwater for the life of the development.		
The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.	The proposal has a nominal geotechnical impact.	
3.2 Bushfire Hazard		
All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development. Development land to which this control applies must comply with the requirements of: <i>Planning for Bushfire Protection (2006)</i> and the <i>Australian Standard AS 3959:2009 - Construction of a building in a bushfire prone area</i> .	“The proposed development will be constructed to the minimum standard required in accordance with the guidelines of Planning for Bushfire Protection 2018 and AS 3959-2009 Construction of buildings in bushfire prone areas.” – Matthew Toghil, Bushfire Consultant. Refer to Bushfire Assessment Report by Bushcon dated 21.06.2019.	Yes
A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the Bushfire Hazard Risk is to be included in the Statement of Environmental Effects.	The proposal, a Class 1a building, addresses the Bushfire Hazard Risk by siting the development away from the 100m buffer zone, thus ensuring the BAL is ‘low’ resulting in insufficient risk to warrant specific construction requirements. Refer to Part 10 of the Bushfire Assessment	

Control		Comment	Compliance
		Report for further details on the construction conformity.	
	A Bushfire Risk Assessment Certificate, in the form available from Council's website, must be provided by the qualified bushfire consultant.	Refer to Bushfire Risk Assessment Certificate.	
B4 – Controls Relating to the Natural Environment			
4.1 Flora and Fauna Conservation Category 1 Land			
A minor section of the rear of the site is identified as Category 1 land. As the majority is classified as Category 2 and the development is entirely situated within Category 2, this section does not apply.			
4.3 Flora and Fauna Habitat Enhancement Category 2 Land			
	Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in Native Plants for Your Garden available on the Pittwater Council website). Landscaping is to be outside areas of core bushland and not include environmental weeds.	No development is occurring within Core Bushland. All new planting, namely front hedging will be 100% native.	Yes
	Development shall provide flora and fauna habitat by active restoration, regeneration, and / or creation.		
4.18 Heathland/Woodland			
	Development shall not reduce or degrade habitat for locally native species, threatened species, endangered populations or endangered ecological communities.	The development does not propose the removal of any vegetation of significant landscaping value or ecological impact. Refer to Arborist report and landscaping plan.	Yes
	Development shall not negatively impact on heathland.		
	Wastewater shall receive tertiary treatment and not be discharged directly into heathland.	Refer to Stormwater Plan.	
4.22 Preservation of Trees and Bushland Vegetation			
	Authority to clear a tree or other vegetation is regulated in this plan in accordance with Vegetation SEPP.	Authority to clear 3 trees on site will be applied within this development application. Refer to Arborist Report.	Yes
	An authority to clear vegetation is not required under the Vegetation SEPP if it is clearing authorised by development consent. Council's authorisation of a Vegetation Clearing Permit is not required for the removal of any tree on the Exempt Tree Species List (see Table 1).		
	A Vegetation Clearing Permit is required for: a) Removal or cutting down of any tree over five (5) metres in height;	Council may consider a variation to the requirement as the <i>angophora costata</i> tree located to the rear of the	

Control	Comment	Compliance
b) Pruning of more than ten percent (10%) of a tree canopy. c) The removal or cutting down of vegetation in "Bushland".	site is deceased and is not required as habitat for native fauna. The other two trees proposed to be cleared are applied for through this application.	

B5 – Water Management

5.1 Water Management Plan

A Water Management Plan (WMP) is required to be submitted setting out the proposed Integrated Water Management System.	Refer to Water Management Plan.	Yes
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5.3 Greywater Reuse

The greywater treatment and reuse system shall have a current NSW Health Accreditation.

All premises must maintain a connection to the Sydney Water centralised sewerage waste disposal system.	Refer to Stormwater and Water Management Plan. Refer to On-site Wastewater Management Plan	Yes Changes by Harrison Architecture 03/08/20
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5.4 Stormwater Harvesting

Where development is proposing a stormwater harvesting scheme, it shall be designed to comply with all relevant State and Federal regulatory requirements. A stormwater management plan describing the design for stormwater harvesting and reuse is required to be submitted setting out effective water management of all water on-site.	Refer to Water Management Plan.	Yes
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5.6 Rainwater Tanks – Water Supply

Where connection to a Sydney Water main is not able to be provided, rainwater tanks must be provided for potable (i.e. drinking, bathing, cooking, washing etc) and non-potable (i.e. toilet flushing, watering garden, irrigation, fire fighting etc) uses. The minimum capacity tank requirements for new dwellings and major additions to existing dwellings, where there is no connection to mains water, must be 45,000 litres of which up to 10,000 litres may be used for non-potable uses and stored in a separate system.	Refer to Stormwater Management Plan and Concept Design.	Yes
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5.7 Stormwater Management – OSD

An On-Site Detention (OSD) facility is to be installed where the development results in additional hard (impervious) surface area of	Refer to Stormwater Management Plan and Concept Design.	Yes
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Control		Comment	Compliance
	greater than 50m2 (on a cumulative basis since February 1996) and on land designated through mapping as requiring OSD facility.		
B6 – Access and Parking			
6.1 Access driveways and Works on the Public Road Reserve			
	The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards: Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking.	Refer to Architectural Plans. The front portion of the existing driveway is being retained.	Yes
	Where the frontage of an allotment to a local public road is less than 30m, one only access driveway.	The street frontage is less than 30m and there is only a single access driveway.	
	The maximum width of an access driveway for dwelling houses with a front setback greater than 6.5m is 3m at the boundary and 3.5m at the kerb.	The driveway width at boundary and kerb is no more than 3m, as per existing.	
6.2 Internal Driveways			
	Internal Driveways are to be designed and constructed to provide safe access and shall have a maximum gradient of 1:5 (V:H). On steeply sloping lands this figure is 1:4 over a maximum 20m length.	The internal driveway will have a gradient as per the existing driveway.	Yes
	Minimum internal driveway width for a single dwelling is 3 metres.	The development retains the existing concrete driveway from the site boundary for 13m which is approximately 2.7m in width. This width increases after 13m to more than 3m as the driveway encroaches the house and garage, and is an improvement upon the existing design.	Acceptable upon merit.
6.3 Off-Street Vehicle Parking Requirements			
	The minimum number of vehicle parking spaces to be provided for off-street parking for a dwelling house with 2 or more bedrooms is 2 spaces. (not a secondary dwelling)	The proposal has more than 2 bedrooms for the main dwelling and one secondary dwelling. The development therefore has 2 off-street parking spaces available in their double garage, and one parking spaces in the driveway, outside the garage.	Yes
	For a Secondary Dwelling a minimum of 1 space is required in addition to existing requirement for the principal dwelling (based on number of bedrooms in principal dwelling).		

Control	Comment	Compliance
The internal parking space dimensions must be at a minimum 5.7m x 6m with entry space 2.4m per vehicle space.	The garage has internal dimensions of 6.1m by 6.05m. The roller door provides a 6m entry.	
B8 Site Works Management		
8.1 Construction and Demolition – Excavation and landfill		
The Geotechnical Risk Management Policy for Pittwater must be considered for any landfill greater than 1.0 metres in height, excavation greater than 1 metre deep and any works that may be affected by geotechnical processes or which may impact on geotechnical processes.	As per the Geotechnical Risk Management Policy for Pittwater, all geotechnical risks have been identified - refer to Geotechnical report by Douglass Partners. The design implements all necessary geotechnical risk management measures.	Yes
8.2 Construction and Demolition – Erosion and Sediment Management		
Erosion and sedimentation prevention measures must be installed on all sites to prevent the migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.	Refer to stormwater drainage plan.	Yes
8.3 Construction and Demolition – Waste Minimisation		
Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.	Waste will be managed appropriately and addressed in detail at the Construction Certificate stage.	Yes
8.4 Construction and Demolition - Site Fencing and Security		
All sites are to be protected by site fencing for the duration of the works.	Site fencing will be implemented throughout the demolition and construction stage and detailed at the Construction Certificate stage.	Yes
8.6 Construction and Demolition - Traffic Management Plan		
For all development where either excavated materials to be transported from the site or the importation of fill material to the site is 100m ³ or greater, a Construction Traffic Management Plan indicating truck movement, and truck routes is to be provided and approved by Council prior to the commencement of works.	This will be addressed at the Construction Certificate stage.	Yes
SECTION C – DEVELOPMENT TYPE CONTROLS		
C1 Design Criteria for Residential Development		
1.1 Landscaping		

Control	Comment	Compliance
All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species.	All canopy trees and a majority of other vegetation is identified as locally native species.	TBA
In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.	The proposed development retains landscaping of all required styles.	Yes
At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site.	The minimum required canopy trees are met with the proposal. Refer to landscape and demolition plans.	

1.2 Safety and Security

Surveillance, access control, territorial reinforcement and space management principles in order to minimise the opportunity for crime need to be considered.	Due to the steep slope of the site, the driveway and front door entry can be seen from northern lawn space which facilitates appropriate surveillance. Building entries are clearly visible from the streetscape and access is clear and unobstructed via the driveway to ensure access control. Visitors are directed to the main entry via a clear driveway, reinforcing the areas of initial access. All proposed spaces will be clean and organised to encourage use and deter vandalism and anti-social behaviours.	Yes
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1.3 View Sharing

All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	Due to the intentional placement of new dwelling over the existing footprint and the retainment of appropriate setbacks, views are not substantially altered from the existing.	
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1.4 Solar Access

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.	Adequate solar access into the main POS and windows into the principal habitable areas of the main dwelling, first floor granny flat and the neighbouring properties is ensured.	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).	Whilst there is an increase in shadow at times during the winter solstice over certain portions, there is also a decrease in other areas from the demolition of the existing development.	

Control		Comment	Compliance
	Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid-winter.	Refer to shadow diagrams.	
1.5 Visual Privacy			
	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.	Direct overlooking between the subject site and the northern neighbours is prevented via heavy landscape screening. The views between the development and the southern neighbour is mitigated by materiality and detailing, with only opaque glazing along the southern façade ground floor and louvres on all south-facing openings for additional screening.	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.	The decks and swimming pool are located to the rear of the site, hidden from street view by the steep slope, retaining wall and significant setback. These areas are protected from view between the southern neighbours by the building itself and the southern neighbours via landscaping and a bamboo privacy fence.	
1.6 Acoustic Privacy			
	Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.	The bedrooms are located to the south-east of the dwelling, furthest from the street to the west and the living/open space to the north.	Yes
	Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.	The pool motor will not produce noise levels exceeding 5dBA above background noise from the neighbouring nearest property at 52 Minkara Road. The pool filter system will be installed within a sound-proof storage unit.	
1.7 Private Open Space (POS)			
	A minimum of 80m ² of POS per dwelling at ground level, with no dimension less than 3 metres is to be provided. No more than 75% of this POS is to be provided in the front yard.	More than 80 square metres of private open space is proposed for the site at ground level, located in north and south lawn areas and a courtyard garden.	Yes

Control		Comment	Compliance
	Dwellings are to be designed so that POS is directly accessible from living areas enabling it to function as an extension of internal living areas.	Private open space is directly accessible from the playroom living space and the primary living room.	
	Private open space areas are to have good solar orientation.	The POS is primarily north and east orientated to ensure good solar access.	
	Private open space areas should include provision of clothes drying facilities, screened from the street or a public place.	A clothes line is proposed along the southern elevation on the ground floor, hidden from public view by the articulation in the building form.	
	An accessible and usable area for composting facilities within the ground level private open space is required.	Composting facilities can be located next to the clothes line on the lower ground floor along the southern elevation.	
1.11 Secondary Dwellings and Rural Worker's Dwellings			
	The development of a secondary dwelling or rural worker's dwelling will result in not more than two (2) dwellings being erected on an allotment of land.	A maximum of two dwellings will be located on site.	Yes
	A secondary dwelling or rural worker's dwelling contains not more than two (2) bedrooms and not more than one (1) bathroom.	The secondary dwelling only contains one bedroom, and one bathroom.	
	Where the secondary dwelling or rural worker's dwelling is separate from the principal dwelling, only one storey will be allowed.	The secondary dwelling is incorporate into the main dwelling envelope.	
	Where the secondary dwelling or rural worker's dwelling is located within, or is attached to the principal dwelling (including the garage) the maximum building height is to be in accordance with the height controls contained within Pittwater Local Environmental Plan 2014.	The secondary dwelling does not exceed the maximum building height.	
1.12 Waste and Recycling Facilities			
	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	Refer to Waste Management Plan.	Yes
1.13 Pollution Control			
	Residential development must be designed, constructed, maintained and used in a proper	Passive design measures are applied as far as practicable in the building	Yes

Control		Comment	Compliance
	and efficient manner to prevent air, water, noise and/or land pollution.	design and materiality choices will aim to prevent pollution.	
1.17 Swimming Pool Safety			
	Swimming pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the Swimming Pools Act 1992 and regulations. The fencing and warning notices (resuscitation chart) shall be permanent structures.	The requirements of the Swimming Pools Act 1992 will be followed. A glazed pool fence is shown in the plans.	Yes
1.23 Eaves			
	Dwellings shall incorporate eaves on all elevations.	Eaves are only incorporated onto the northern and eastern elevations as the southern façade does not have openings, and glazing on the western façade has shading in the form of an extended awning and sill. Furthermore, it would be detrimental to the contemporary design to include eaves on all elevations where unnecessary as the sleek facades would appear bulky.	Acceptable upon merit.
	Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.	Proposed eaves are approximately 1m in width.	Yes


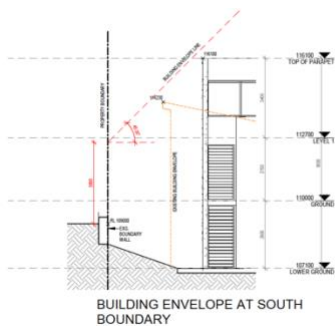
SECTION D – LOCALITY SPECIFIC CONTROLS

D2 Bayview Heights Locality

2.1 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. Blank street frontage facades without windows shall not be permitted.	The streetscape is heavily dominated by landscaping which substantially screens the main dwellings from the street view on the eastern side of Minkara Road. This character is being upheld by retaining the front landscaping.	Yes
	The bulk and scale of the buildings must be minimised.	The building form drops with the landscape, minimising bulk and producing the illusion of a two-storey, small scale dwelling from the street.	
	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.	The building is of neutral materiality and colouring which ensures the	

Control		Comment	Compliance
		surrounding landscape dominates visually.	
2.2 Scenic Protection			
	Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	The design is well integrated into the natural environment with neutral colouring and materiality when viewed from Minkara Road or the opposite waterway.	Yes
2.3 Building Colours and Materials			
	External colours and materials shall be dark and earthy tones.	<p>Mid grey and dark brown hues dominate the building. There is, however, elements of light grey and beige, an improvement from the existing building, primarily white with a heavily contrasting roof.</p> <p>As the development is not easily viewed from the streetscape or waterway due to heavy surrounding landscape and illusion of a one storey building, the desired future character of the locality is not compromised by the variation in colouring and materiality. Visual harmony is achieved – refer to photo montages supplied.</p>	Acceptable upon merit.
2.5 Front Building Setback			
	The front building line must be a minimum of 20m wide.	Refer to Architectural Plans.	Yes
2.6 Side and Rear Setback			
	The minimum side and rear building line for built structures shall be 6.5m (side) and 20m (rear) for R5 Large Lot.	<p>Refer to Architectural Plans. The rear complies. The southern and northern side setbacks are reasonable as they achieve the control objectives by protecting the privacy, solar access and overall amenity for neighbours.</p> <p>The southern setback in particular is an improvement upon the existing dwelling.</p>	Acceptable upon merit.
2.7 Building Envelope			

Control	Comment	Compliance
<p>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>Refer to Section 2 – Building Envelope drawing.</p> 	Yes

2.9 Landscaped Area – Non-Urban

The minimum landscaped area is 80% of the site.	The development proposes a landscaped area of 3733m, or 84.4%.	Yes
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2.11 Fences – Flora and Fauna Conservation Areas

No front fences will be permitted.	No hard-front fencing is proposed. Additional native hedging along the front boundary with a maximum height of 1m high will provide an informal property divider.	Acceptable upon merit.
Vegetation is preferred to any fencing.	A timber batten gate, 50% transparent with sandstone gate posts and a mailbox is proposed to adjoin the new native vegetative hedge and is to be no taller than 1.2m high. The minimal scale and neutral materiality and colouring allows the gate to seamlessly integrate with the adjoining properties and maintain the character of the streetscape. Water views are maintained when viewed from the street and the movement of small animals is not impacted.	
Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimensions of 150mm x 150mm every 5 metres accessible to ground dwelling animals.	Side and rear fences are per existing.	

2.12 Construction, Retaining Walls, Terracing and Undercroft Areas

Control	Comment	Compliance
On steeper slopes, preference is given to the use of stable rock ledges and escarpments to reduce the visual bulk of buildings. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.	Whilst a 3.75m retaining wall is installed to the north of the site it has been designed to best facilitate the driveway redevelopment but reduce bulk as far as practicable. In addition, the sandstone blocks from the demolished existing retaining walls will be reused in retaining walls to the west of the garage.	Acceptable upon merit.
In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.		

2.13 Scenic Protection Category One Areas

Screen planting shall be located between structures and boundaries facing waterways.	Existing landscaping, primarily canopy trees, provide adequate screen planning between the dwelling and the waterway located to the east of the site.	Yes
Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.		
Development is to minimise the impact on existing significant vegetation.	No significant vegetation is impacted. Refer to Arborist report.	

4.2 Impacts of the Development

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the development is of a reasonable scale and nature, and does not present unreasonable environmental, social and economic impacts.

Impacts on Natural and Built Environment

The views, privacy and solar access of neighbouring properties is retained and does not impact the residential amenity of the immediate surrounding locality. The development involves the removal of 3 trees of minor landscape value and this is considered to be of acceptable environmental impact. The scenic, micro-climate, water and air quality impact is nominal.

Social and Economic Impacts

The development increases the amenity of the property with the contemporary three-storey dwelling and supplementary works. The development will also upgrade the presentation of the site to the street and improve aesthetic quality of the streetscape as high quality materials and design will be implemented. The proposal does not engender any negative social or economic outputs.

4.3 Suitability of the Site

The subject site is considered suitable in size and shape to accommodate the residential development. The proposal does not introduce any incompatible uses to the site. The works are permissible under the R5 zone.

4.3.1 Access to Services

The site is located within an established residential area with excellent access to services and public transport. As the site is within an established urban area, electricity, ~~sewer~~, telephone, and water services are readily available to the subject site.

4.3.2 Parking and Access

The on-site parking provided complies with the maximum on-site parking requirements as prescribed by PDCP 21. The design and layout of on-site parking and vehicle access/egress is compliant with AS2890.1.

4.4 The Public Interest

The proposal is not considered to be against the public interest due to its positive visual outcome on the streetscape, and nominal negative environmental, social and economic impacts.

The proposed development has been designed to relate to the size, shape and context of the site and has been designed in accordance with the desired future character for development in the area.

The proposal seeks to provide a modern residential development that makes efficient use of space on the site in a prime location that is in high demand for residential accommodation. In addition, the proposal has been designed to minimise as far as practical any adverse effects on existing and future neighbouring properties. The proposal is consistent with the applicable LEP and DCP provisions except where identified and justified in this Statement of Environmental Effects. Accordingly, the proposed development is considered to be in the public interest.

5.0 CONCLUSION

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social and economic impacts of the proposed three-storey dwelling with swimming pool at 50 Minkara Road, Bayview. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a permissible development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood.

Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the proposed development at 50 Minkara Road, Bayview as described in this application is reasonable and supportable, and worthy of approval by Northern Beaches Council.