

STATEMENT OF ENVIRONMENTAL EFFECTS
FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

LOCATED AT

74 ELANORA ROAD, ELANORA HEIGHTS

FOR

JAMES HORTON & ANNALIESE PEDAVOLI



**Prepared
December 2024**

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1.0 Introduction

This Statement of Environmental Effects accompanies plans prepared on behalf of James Horton and Annaliese Pedavoli by Studio Friend, Project No. 2408, Drawings No. SK 00, SK 05 – SK 08, SK 10 dated 2 October 2024 to detail demolition of portions of the existing dwelling and the construction of alterations and additions to the existing dwelling at **74 Elanora Road, Elanora Heights**.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

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

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

2.0 Property Description

The subject allotment is described 74 Elanora Road, Elanora Heights, being Lot 75 within Deposited Plan 13643.

The property is zoned R2 Low Density Residential under the Pittwater Local Environmental Plan 2014.

The site is listed as being within the Class 5 Acid Sulfate Soils Area and on Council's Biodiversity Map. These matters will be discussed further in this submission.

The site has been identified on Council's Bushfire Prone Land Map and a Bushfire Risk Assessment has been prepared by Bush Fire Planning Services, Report Reference Number 4850 dated 5 November 2024. The Bushfire Risk Assessment has been submitted with this application. This assessment will be discussed in detail within the report below.

The site is not listed as a heritage item, nor is it within a conservation area.

The site is identified on Council's Geotechnical Hazard Map as being within area "Geotechnical Hazard H1". Accordingly, a Geotechnical Report prepared by Crozier Geotechnical Consultants, Project No 2024-205 dated 14 November 2024 has been prepared and is discussed in the submission.

No other hazards have been identified.

3.0 Site Description

The property is located on the western side of Elanora Road and approximately 200 metres north of the intersection with Weeroona Avenue. The site has a slope from the rear western boundary to the eastern front boundary of over 15m.

The site is irregular in shape, with a frontage of 20.505m to Elanora Road and a northern boundary of 48.92m and a southern side boundary of 49.96m. The rear boundary measures 10.67m and the site has a total area of 762.5m².

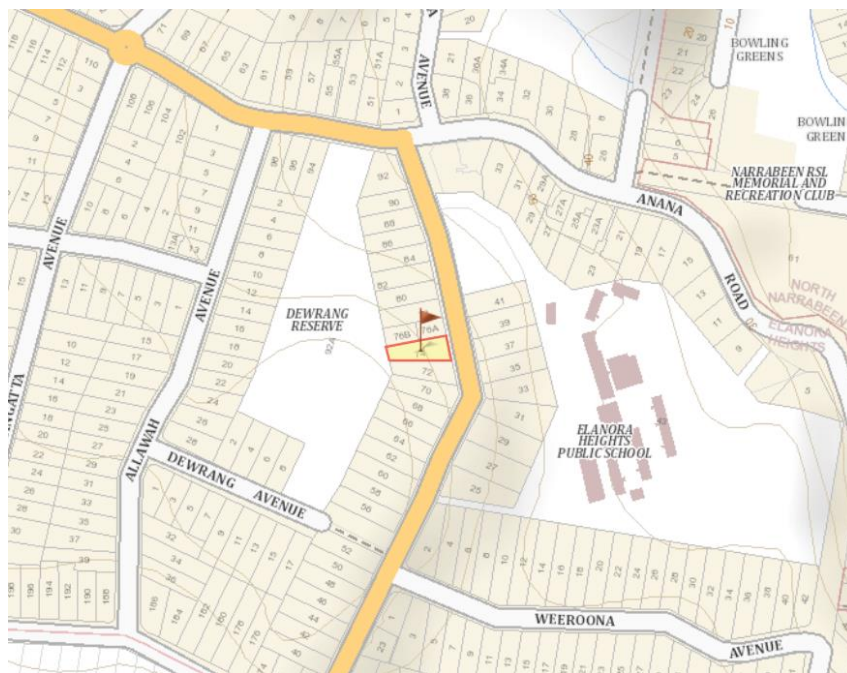
The site is currently developed with an existing two storey dwelling with a detached two storey secondary dwelling and double garage forward of the dwelling house. Vehicle access is from Elanora Road, with car parking spaces for the dwelling located on the hardstand in front of the dwelling house, to the rear of the secondary dwelling.

The dwelling currently enjoys views to the east towards the Pacific ocean, with district views in the foreground.

Stormwater from the site is currently dispersed to the street verge.

The site currently presents as a bushland setting, with rock outcrops, tiered landscaped areas and canopy trees.

The details of the site are included on the survey plan prepared by Detailed Surveys, Reference 0003/15 dated 5 January 2024, which accompanies the DA submission.



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



Fig 2: View of the subject site (existing secondary dwelling in foreground) with driveway access to rear parking area for dwelling, looking south-west from Elanora Road



Fig 3: View looking north across the front facade of the secondary dwelling



Fig 4: View looking west towards the parking area and stair access to then dwelling, located at the rear of the site



Fig 5: View of the existing front, eastern façade of the dwelling, looking west



Fig 6: View looking north across the rear façade of the dwelling



Fig 7: View of the patio area, looking south-west



Fig 8: View of the rear yard, looking west towards the rear boundary



Fig 9: View of the rear yard, looking north-east towards the dwelling

4.0 The Surrounding Environment

The site is located within a low-density residential area of Elanora Heights, which is characterised by a mixture of traditional and modern multi-level dwelling houses of a variety of architectural styles.

The site is in close proximity to a number of community and recreational open space areas, including Bilarong Reserve to the south of the site. Adjoining the site to the north west is a bushland Council reserve.

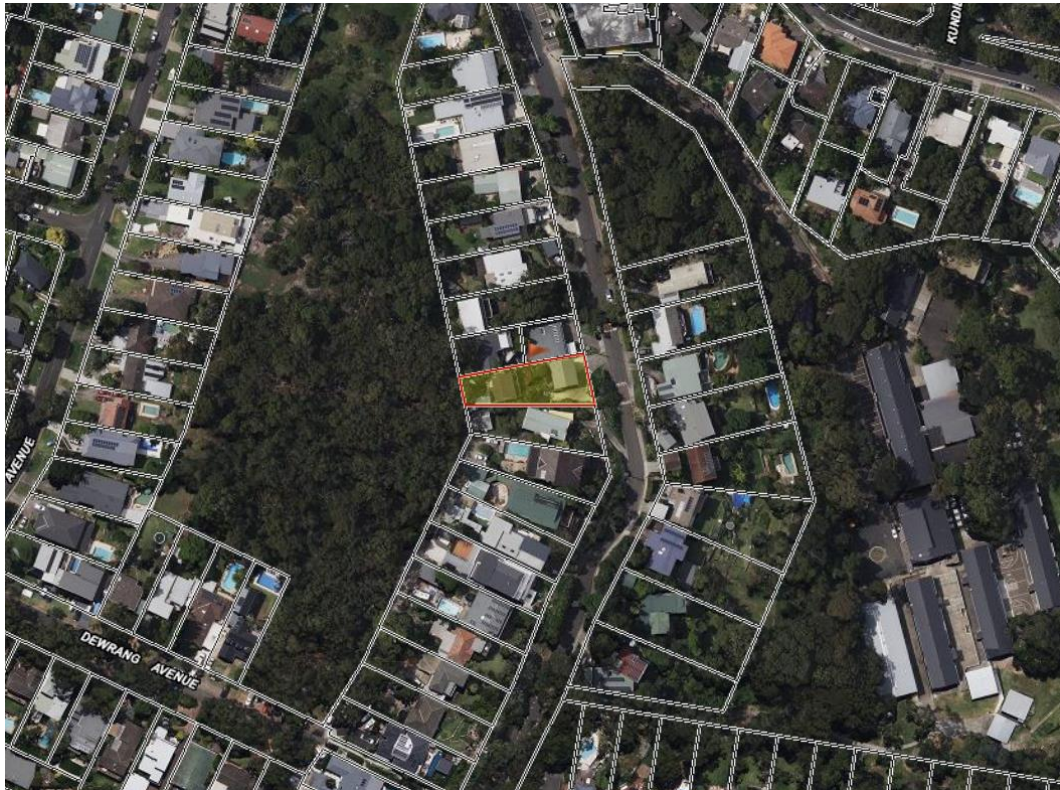


Fig 10: Aerial view of locality
(Source: Six Maps)

5.0 Proposed Development

As detailed within the accompanying architectural plans prepared by Studio Friend Pty Ltd, the proposal seeks approval for demolition of portions of the existing dwelling including the roof, elements of the first floor level, garden shed, rear covered patio and internal elements of the ground floor level, together with the construction of alterations and additions to the existing dwelling.

Given that a large extent of the existing dwelling will remain and the building maintains a similar two storey height and form, over the existing building footprint, the works are considered to be genuinely described as additions and alterations to the existing dwelling.

As the presentation to the neighbouring properties and extent of floor space and landscaped area is compatible with the existing conditions, the works do not constitute a new dwelling and the application is properly described as additions and alterations.

In summary, the new works will provide for:

Ground Floor Plan

- Redistribution of the existing floor plan to provide for a new ensuite and WIR for bedroom 3, new bathroom, entry way and front patio

First Floor Plan

- Redistribution of the existing floor plan to provide for a new open plan kitchen/lounge/dining area, new study and WC
- New flooring to the existing front balcony
- New roofed rear dining area, BBQ and fire pit
- New roof
- Provision of additional landscaping

The proposed works represent a high-quality architectural design solution that will provide a significant enhancement to the amenity and usability of the site within the existing footprint. The resultant development incorporates a skilful use of glazed window openings, roof forms and materiality to break down the apparent size of the dwelling and reduce bulk and scale.

The existing side boundary setbacks maintain the rhythm of development and building setbacks within the street and provides appropriately for spatial separation, tree retention, deep soil landscape opportunity, privacy, solar access and view sharing.

The internal design and arrangement will afford exceptional amenity to future occupants of the dwelling without unreasonably compromising the amenity of surrounding residential properties or the foreshore scenic attributes of the precinct.

The proposed external finishes and materials are detailed in the architectural plans and comprise of the retention of the brick external walls with new cladding and a colorbond metal sheet roof which complement surrounding development.

The proposed new multi-level plantings as detailed in the Landscape Plan prepared by Studio Friend proprietary Limited, Drawing No DA60 dated 6 November 2024, along with tree retention will further assist in maintaining the privacy and amenity of both the subject and neighbouring properties and will soften the visual impact of the resultant development.

The proposal results in the following indices:

Site Area:	762.5m ²
Required Building Height	8.5m
Proposed Building Height	7.255m
Required Landscaped Area:	50% or 381.25m ²
Proposed Landscaped Area:	43.6% or 332.5m ² (without permitted 6% variation) 49.6% or 378.25m ² (with permitted 6% variation – See DCP discussion)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation. No significant vegetation is proposed to be removed as part of the proposed development.

No further consideration of this chapter is required.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

SEPP (Resilience and Hazards) 2021 and in particular Clause 4.6(2) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

SEPP (Sustainable Buildings) 2022, commenced on 1 October 2023 and applies to the proposed development. In accordance with the provisions of the SEPP, a BASIX Certificate is submitted with the application and confirms that the proposal will comply with the water, thermal comfort, and energy efficiency requirements of the policy.

6.4 Bushfire Prone Land

The site is classified as bush fire prone land. Section 4.14 of the Environmental Planning and Assessment Act 1979 requires the consent authority to be satisfied that the development conforms to the specifications and requirements of the *Planning for Bush Fire Protection 2019*.

A Bushfire Risk Assessment has been prepared by Bush Fire Planning & Design dated 5 November 2024 which states that the development conforms to the relevant specifications and requirements within *Planning for Bush Fire Protection 2019*.

6.5 Pittwater Local Environmental Plan 2014

The site is zoned R2 Low Density Residential under the provisions of the PLEP 2014.

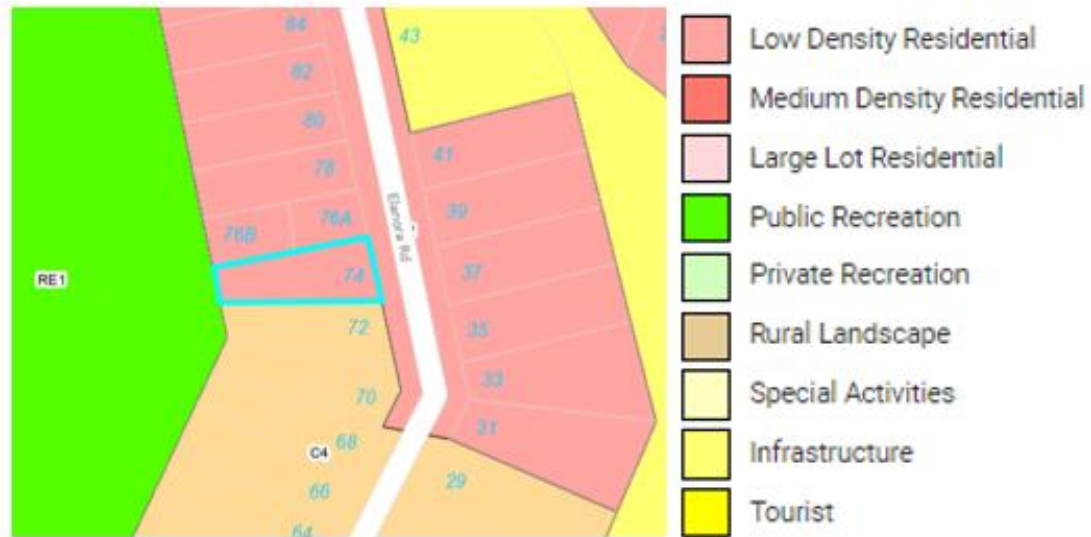


Fig 11: Extract of Pittwater Local Environmental Plan 2014

The development of and use of the land for residential purposes within the R2 Low Density Residential Zone is consistent with the zone objectives, which are noted as:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

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

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed minor additions to the roof form will continue to maintain the two storey scale of the dwelling, which respects the scale and form of other development in the vicinity and therefore complements the locality.
- The proposal provides for alterations and additions to an existing dwelling, which will not have any substantial impact to the neighbouring properties.
- There is no change to the existing setbacks meaning they continue to be compatible with the existing surrounding development.
- The proposal does not have any impact on long distance views.
- The works will not compromise the residential character of the locality.

Clause 4.3 – Height of Buildings

The maximum building height in this portion of Elanora Heights is 8.5m. The maximum proposed overall building height of the ceiling space addition is approximately 7.255m and therefore complies with this control.



Fig 12: Extract of Pittwater Local Environmental Plan 2014 Height of Buildings Map

Clause 7.1 – Acid sulfate soils

The site has been identified on Council’s zoning maps as being in a Class 5 zone. The works are not anticipated to result in the disturbance of any acid sulfate soils.



Fig 13: Extract of Pittwater Local Environmental Plan 2014 Acid Sulfate Soils Map

The site is identified as being within an area affected by Acid Sulfate Soils (Class 5). The new works will not involve any substantial site disturbance and are not within 500m of other Acid Sulfate Soil classes, or impact the water table. Accordingly, it is not anticipated that acid sulfate soils will be encountered and no further assessment is considered necessary.

Clause 7.2 – Earthworks

The proposed development involves minor excavation for the rear outdoor dining area. A Geotechnical Report, prepared by Crozier Geotechnical Consultants dated 14 November accompanies the development application. It is considered that the excavation can be undertaken to minimise any impacts that may occur

The report addresses any effects of the earthworks required as a result of the proposed development and concludes the proposal is unlikely to unreasonably disrupt existing drainage patterns and soil stability in the locality. The works will be carried out in accordance with the recommendations of the consulting structural engineer and the recommendations of the geotechnical report.

As required, appropriate sedimentation controls will be implemented throughout construction to prevent transportation of sediment to adjoining properties.

Clause 7.6 – Biodiversity protection

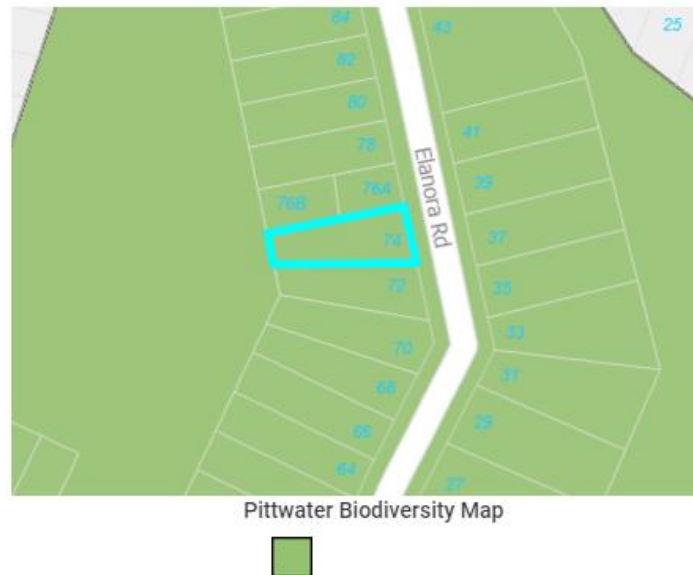


Fig 14: Extract of Pittwater Local Environmental Plan 2014 Biodiversity Map

The proposed works do not remove any existing native vegetation or any substantial planting.

Accordingly, the proposal is therefore considered to be consistent with the provisions of this clause.

Clause 7.7 – Geotechnical hazards

The site is noted as being subject to Council’s landslip risk mapping.

A Geotechnical Report has been prepared by Crozier Geotechnical Consultants, Project No: 2024-205 dated 14 November 2024.

The Investigation assesses the stability of this site as it exists, together with the potential impacts resulting from new works.

The report notes:

The inspection and assessment identified no obvious slope movement, excess surface stormwater flow or seepage, erosion or instability within the site or adjacent properties. The entire site and surrounding slopes have been assessed as per the Northern Beaches Council Geotechnical Risk Management Policy for Pittwater and no credible landslip hazards were identified whilst the proposed works are relatively minor from a geotechnical perspective and should not create any landslip hazards. Therefore the proposed works are separate from and not affected by a geotechnical hazard, and no further reporting is expected to be required as part of these works.

It is considered that the site will meet the 'Acceptable' risk management criteria for the design life of the development, taken as 50 years, provided the property is maintained as per the recommendations of this report.

The Investigation provides recommendations to be observed during the construction to ensure the ongoing stability of the site.

The works will be carried out in accordance with these recommendations and under the guidance of the Consulting Geotechnical Engineer.

Clause 7.10 – Essential Services

The proposal will see the existing essential services to the site being maintained.

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

6.3 Pittwater 21 Development Control Plan

Council's Pittwater 21 DCP Section B (General Controls), Section C (Development Type Controls) and Section D5 Elanora Heights Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

6.3.1 Section A Introduction

A4.5 Elanora Heights Locality

The Elanora Heights locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located only on the plateau on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Land in the vicinity of Caladenia Close and Dendrobium Crescent to the west will remain a low-density rural residential area due to the constraints and characteristics of the land, including steepness of slope, species and habitat diversity, and lack of infrastructure. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community, and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development on non-urban zoned land shall maintain generous spatial separation of the built form and low site coverage on large lots. Development will be designed to be safe from hazards including landslip and bushfire.

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

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

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

It is considered that the proposal is consistent with the desired character of the locality by providing for alterations and additions to an existing two storey dwelling.

The new works to the dwelling maintain a modest two storey scale and form consistent with the scale and style of development in the vicinity.

The dwelling will continue to reflect the predominant setbacks provided to the side boundaries in the immediate area. The dwelling will maintain a modest height and will not adversely impact adjoining properties solar access or view sharing.

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

The proposal will not require the removal of any significant vegetation and will maintain a suitable area of soft landscaping.

6.3.2 Section B General Controls

B4.4 Landscape and Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

The controls seek to achieve the outcomes:

Conservation, enhancement and/or creation of habitats for locally native flora and fauna to ensure the long-term viability of locally native flora and fauna and their habitats. (En)

The proposal will not require the removal of any significant or protected vegetation. The existing vegetation throughout the site will be largely maintained, with new landscape plantings to be incorporated as part of the works.

The proposed and existing landscaping assists with softening and screening the built form of the development, and the property boundaries are capable of accommodating future plantings.

B5.15 Stormwater

The controls seek to achieve the outcomes:

Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;

Minimise the risk to public health and safety;

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

Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.

Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and

stormwater and providing treatment measures that replicate the natural water cycle
Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources
Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.

Stormwater will be collected and drained to the Elanora Road verge as per the Stormwater Management Plans prepared by NB Consulting Engineers, Job No 2409059, Drawings D01 – D08 dated 24 November 2024.

Suitable sediment control measures will be implemented in order to minimise potential impacts on surrounding sites and the adjacent waterway. The proposal will therefore comply with this control.

B6.2 Internal Driveways

The controls seek to achieve the outcomes:

Safe and convenient access. (S)
Reduce visual impact of driveways. (S)
Pedestrian safety. (S)
An effective road drainage system. (En, S)
Maximise the retention of trees and native vegetation.
Reduce contaminate run-off from driveways.

The proposal will maintain the existing driveway along the southern boundary to provide ongoing, safe access to the dwelling.

B6.3 Off-street Vehicle Parking Requirements

The controls seek to achieve the outcomes:

Safe and convenient parking (En, S)

The controls require a minimum of 2 parking spaces for each dwelling. The proposal will provide for two off-street spaces within the existing double garage under the detached secondary dwelling and hardstand parking space along the southern boundary.

B8.1 Construction & Demolition – Excavation and Landfill

The controls seek to achieve the outcomes:

Site disturbance is minimised. (En)
Excavation and construction not to have an adverse impact. (En)
Excavation operations not to cause damage on the development or adjoining property. (S)

The proposed works will not require any significant disturbance to the site. The works will be carried out in accordance with the recommendations of the Geotechnical Report and Structural Engineer, and therefore satisfy the provisions of this clause.

B8.2 Construction & Demolition – Erosion and Sediment Management

The controls seek to achieve the outcomes:

Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)

Reduction of waste throughout all phases of development. (En)

Public safety is ensured. (S)

Protection of the public domain. (S, En)

Appropriate sedimentation controls will be implemented throughout construction to prevent transportation of sediment to adjoining properties. The site's existing landscaping will prevent ongoing erosion.

6.3.3 Section C Development Type Controls

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

C1.1 Landscaping

The controls seek to achieve the outcome:

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

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

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

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

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

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

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

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

Landscaping results in low watering requirement. (En)

The proposal does not seek to remove any significant trees, and a suitable area of soft landscaping will be maintained, including maintaining the existing landscaped setback to Elanora Road. The existing plantings throughout the site will be maintained and enhanced by the new plantings as demonstrated within the Landscape Plan, prepared by Studio Friend, dated 6 November 2024 which ensures the robust landscaping on the site will soften and screen the built form of the new works.

The species selection within the Landscape Plan also adhere to the bushfire requirements to ensure the plantings do not promote bushfire risk.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

On-going safety and security of the Pittwater community. (S)
Opportunities for vandalism are minimised. (S, Ec)
Inform applicants of Council's requirements for crime and safety management for new development. (S)
Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)
Identify crime and safety priority areas in Pittwater LGA (S, Ec)
Improve community safety and reduce the fear of crime in the Pittwater LGA (S)
Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)

The proposed works do not impact on the existing safety or security of the site. The secondary dwelling at the front of the site dwelling will continue to provide casual surveillance to the Elanore Road, with the existing dwelling and the location of the new works to add an alter the existing dwelling being located at the rear of the site, without direct visual access to the street frontage.

C1.3 View Sharing

The controls seek to achieve the outcomes:

A reasonable sharing of views amongst dwellings. (S)
Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced. (S)
Canopy trees take priority over views. (En, S)

The subject and adjoining properties currently enjoy district views to the east towards the Pacific Ocean.

The new works will continue to provide a modest, compatible two storey scale, which readily complies with Council's statutory height limit. The proposal is not considered to result in any unreasonable loss of views for neighbouring properties and with no properties immediately to the rear, views from uphill properties are not an issue in this instance..

C1.4 Solar Access

The controls seek to achieve the outcomes:

Residential development is sited and designed to maximise solar access during mid-winter. (En)
A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)
Reduce usage and/dependence for artificial lighting. (En)

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid-winter.

Shadow diagrams have been prepared to support the development (Drawing No's DA40, DA41 & DA 42). Due to the orientation of the subject site and neighbouring properties, the proposal which will see only a modest increase in height and will result in a minor change to the existing solar access received by neighbouring properties.

The solar access analysis presented there is no unreasonable impact to either the adjacent dwellings outdoor entertaining space or primary living rooms with these particular spaces retaining suitable access for sun during the day. Accordingly, the subject and neighbouring dwellings will continue to enjoy excellent solar access to their internal and external living areas during the day.

It is considered that the proposal has appropriately considered the principal areas of the neighbouring property and the shadow analysis provided with the application confirms that the development has maintained reasonable regional solar access in accordance with Council's requirements.

C1.5 Visual Privacy

The controls seek to achieve the outcomes:

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)

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

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

There are no new windows proposed for the northern or southern elevations, with other new windows orientated towards the north to capture the expansive views. New windows to the west are orientated into the rear of the site.

No window openings are proposed to the ceiling space addition, therefore minimising any impact on privacy to adjacent dwellings.

The proposal includes a new rear outdoor dining area, however a new brick privacy screen is proposed along the western elevation to ensure acoustic and overlooking impacts are minimised

The landscaping, together with a compliant side setback for the outdoor dining area will ensure sufficient visual privacy is provided to adjoining dwellings to the north.

The existing dwelling is two storey in nature, therefore overlooking from windows or balconies is minimised.

The proposal is considered to satisfy this control with respect to visual privacy.

C1.6 Acoustic Privacy

The controls seek to achieve the outcomes:

Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited. (S)

Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas (S)

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

Given the residential nature of the works, there will not be any significant impact on the surrounding locality in terms of acoustic privacy. The new brick privacy screen servicing the new outdoor dining area will minimise any additional noise impacts to the southern adjoining site.

C1.7 Private Open Space

The controls seek to achieve the outcomes:

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)

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

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

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

The site will provide a substantial area for private open space within the new rear outdoor dining area, which will be enhanced by the introduction of the proposed BBQ, fire pit and seating.

C1.9 Adaptable Housing and Accessibility

The controls seek to achieve the outcomes:

The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing. (S)

All members of the community enjoy equitable access to buildings to which the general public have access. (S)

Housing for Seniors or People with a Disability are accessible, adaptable and safe. (S)

Equitable access in the public domain. (S)

Single dwellings are not required to provide access in accordance with AS4299-1995.

C1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

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

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

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

6.3.4 Section D Design Criteria

The **D5 Elanora Heights Locality Statement** contains a number of outcomes for development. The proposal has been assessed in regard to the Locality Statement and is summarised in the following table.

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

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

A summary of the DCP controls for the **D5 Elanora Heights Locality** is provided below:

D5.1 Character as Viewed From A Public Place

The control seeks to achieve the outcomes:

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

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

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

To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

The required controls to achieve the outcomes are to ensure that the building maintains a compatibility with the locality through appropriate design relief including roof forms, materials, the arrangement of windows, maintain the existing spatial separation, landscaping etc.

The proposal will provide for alterations and additions to an existing dwelling which are sited wholly within the existing building footprint.

The dwelling will continue to present as a modest two storey dwelling to Elanora Road with existing and new landscaping incorporated into the site to soften the appearance of the new works, as viewed from the neighbouring dwellings. The new works will not be visually identifiable from Elanora Road as the existing secondary dwelling and double garage for of the existing dwelling screening the proposed works from the street view.

The development will not see the loss of any significant vegetation, and will maintain a suitable area of soft landscaping on the site.

D5.2 Scenic Protection – General

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment. (En, S)

The proposal is modest in height and scale, and readily complies with the statutory height limit.

The proposal utilises earthy tones which complement the existing and surrounding development, and maintained consistency with the desired future character of the locality.

The proposal will not see the removal of any significant vegetation, and will maintain a suitable area of soft landscaping on the site. The existing vegetation will be maintained which assists with softening and screening the built form of the development.

D5.3 Building Colours, Materials and Construction

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

The required controls to achieve the outcomes are to ensure that the external colours and materials shall be dark and earthy tones as indicated within the DCP. It is considered that the development is appropriate as the proposal will utilise finishes and colours which are compatible with the DCP, existing building finish and the surrounding properties.

D5.5 Front Building Line

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. (S)

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

The amenity of residential development adjoining a main road is maintained. (S)

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

Vehicle manoeuvring in a forward direction is facilitated. (S)

Preserve and enhance the rural and bushland character of the non-urban area of the locality. (En, S)

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment

The control to achieve this outcome is to provide a setback of 6.5m or the established building line, whichever is greater.

The proposal maintains the existing front setback which is well in excess of 6.5m and that of surrounding dwellings to Elanora Road, therefore readily complying with the control.

The proposal maintains the modest double storey height to Elanora Road, with the existing secondary dwelling and double garage forward of the dwelling meaning the works will not be properly visible from the surrounding public places.

D5.6 Side and rear building line

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality. (S)

The bulk and scale of the built form is minimised. (En, S)

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

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To ensure a landscaped buffer between commercial and residential zones is established.

The relevant controls to achieve this outcome are to maintain a minimum side boundary setback of 2.5m to at least one side, 1.0m for the other side and a rear boundary of 6.5m.

The proposal maintains the existing 1.042m northern side setback, with the proposal demonstrating the existing non-compliant southern side setback of 3.222m to 1.377m.

The new outdoor dining area privacy wall will demonstrate a non-compliant southern side setback of 1.182m.

Notwithstanding the variation, outdoor dining area and associated privacy wall is located logically on the site in order to service the main living areas of the dwelling while working with the existing setbacks.

There is no anticipated privacy impacts from this minor encroachment as the built form is privacy wall, with the design being of a low profile, below the canopy trees, with additional landscaping to ensure visual impact is reduced and the built form is screened and soften appropriately.

The outdoor dining area is predominately at ground level, further reducing the potential for visual bulk.

The rear setback area will remain largely landscaped, providing an expansive area of deep soil for existing trees and future planting.

In this regard, the proposal is consistent with the outcomes of the control and considered worthy of Council's support.

D5.7 Building Envelope

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality.
To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45°.

The dwelling house maintains the existing side setbacks and the present protrusions into the prescribed building envelope control remain.

However, the encroachment along the northern and southern elevations are not unreasonable within the context of the site.

The existing envelope variation is found to be consistent with the outcomes of the control by providing a development that achieves the desired future character of the Locality, while not impacting on the existing streetscape.

The building scale and density respects the natural environmental by ensuring the building is below the height of the trees.

View and vistas to and/or from public and private places will be preserved.

Overall, the amenity within the site and to adjoining sites will be maintained.

In this regard, the development is considered reasonable and worthy of Council's support.

D5.9 Landscaped Area – Environmentally Sensitive Land

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality. (S)

The bulk and scale of the built form is minimised. (En, S)

A reasonable level of amenity and solar access is provided and maintained. (En, S)

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

Conservation of natural vegetation and biodiversity. (En)

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

To preserve and enhance the rural and bushland character of the area. (En, S)

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

The required controls to achieve the outcomes are to limit residential development to a minimum landscaped area of 50% of the site area.

The new works will retain up to 49.6% of the site as soft landscaping, inclusive of the 6% variation for functional outdoor paved areas. In this instance, the existing driveway and parking areas present a constraint to then development maintaining the required 50% landscaped area, however with a minor variation of less than 1% (0.6%) the proposal is still considered to achieve the aims and objectives of Council's controls in minimising building footprint and stormwater run-off whilst retaining areas of soft landscaping for outdoor amenity and recreation space.

The proposal ensures adequate landscaping to be provided on the site and to a degree that is commensurate with surrounding and nearby properties. Council can be satisfied that the bulk and scale of the development does not give rise to any unreasonable impacts upon the amenity of adjoining properties or contribute to any detrimental impacts upon the natural environment with regard to impacts to trees and stormwater management.

The bulk and scale of the architectural changes to the dwelling are minimal, with appropriate amenity and solar access continuing to be maintained. The shortfall in landscaping does not give rise to impacts on vegetation with existing vegetation maintained.

Stormwater runoff will be managed accordingly in line with existing methods, while the landscaped area will assist in reducing soil erosion.

The proposal is considered to satisfy the outcomes of the control.

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

7.1 The provisions of any environmental planning instrument

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

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

7.2 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft instruments applying to the land.

7.3 Any development control plan

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

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

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

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

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

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

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

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

It is considered that the proposal, which seeks consent for proposed construction of alterations and additions to an existing dwelling which will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

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

7.7 The suitability of the site for the development

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

7.8 Submissions made in accordance with this Act or the regulations

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

7.9 The public interest

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

8.0 Conclusion

The principal objective of this development is to provide for construction of alterations and additions to an existing dwelling, which are modest in bulk and scale and follows the topography of the site, thereby respecting and complementing the site's location.

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

The proposal provides a complementary and compatible building form when compared to the existing dwelling, other development located along this section of Elanora Road and within the site's visual catchment generally.

The works are located generally within the existing dwelling footprint so that the dwelling maintains a rhythm of development and building setbacks within the street and provide appropriately for spatial separation, landscape opportunity, privacy, solar access and view sharing.

The proposal seeks to upgrade the existing dwelling and recreational areas to maximise recreational amenity for occupants of the subject site whilst minimising impacts to adjoining properties.

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

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

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