



STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations and Additions
to Existing Dwelling House
and Associated Works**

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This report has been prepared to support a Development Application under the *Environmental Planning and Assessment Act 1979*.

Report prepared by:

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Director – Four Towns Pty Ltd

Report prepared for:

Birgit Bessey

18 February 2025

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1. Introduction and Background Information

1.1 Introduction

This report has been prepared as supporting documentation for a Development Application relating to proposed alterations and additions to an existing dwelling and associated works at 81 Riverview Road, Avalon Beach, being Lot 22 within Deposited Plan 18005.

This report has been prepared following instructions from the owner of the property Birgit Bessey. In preparing this application consideration has been given to the following:

- *Environmental Planning and Assessment Act, 1979* (as amended) (EP&A Act);
- Environmental Planning and Assessment Regulation 2021;
- Relevant State Environmental Planning Policies;
- Pittwater Local Environmental Plan 2014 (PLEP 2014);
- Pittwater Development Control Plan 21 (PDCP21);
- Survey Plan prepared by CMS Surveyors Pty Ltd;
- Architectural Plans prepared by Action Plans Pty Ltd;
- BASIX Certificate prepared by Action Plans Pty Ltd;
- Stormwater Management Plan prepared by Amuna Civil Engineering Pty Ltd;
- Driveway Plan prepared by Amuna Civil Engineering Pty Ltd;
- Cost Summary Report prepared by Samuel Tastzidis;
- Geotechnical Assessment Report prepared by Crozier Geotechnical Consultants;
- Arboricultural Impact Assessment prepared by Hugh the Arborist;
- BDAR Report prepared by Land Eco Consulting Pty Ltd;
- Waste Management Plan.

This Statement of Environmental Effects describes the proposed development having particular regard to the provisions of Section 4.15 of the EP&A Act 1979 and examines any potential environmental impacts with regard to the relevant sections of the Act, State policies and requirements of Northern Beaches Council's PDCP.

The conclusions of the Statement of Environmental Effects are that the proposed development, being alterations and additions to an existing dwelling house is permissible with development consent and is consistent with the relevant statutory planning instruments including Pittwater Local Environmental Plan 2014 and relevant planning policies of Pittwater Development Control Plan 21.

Accordingly, the proposal succeeds on its merits and should be approved by Council, as submitted.

1.2 Background Information

The site is not the subject of any recent Development Applications to Northern Beaches Council. The proposal has not been the subject of a pre-lodgement meeting with Northern Beaches Council.

2. Site Profile

2.1 Property Description

The subject allotment is described as 81 Riverview Road, Avalon Beach, legally known as Lot 22 within Deposited Plan 18005. The site is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014.

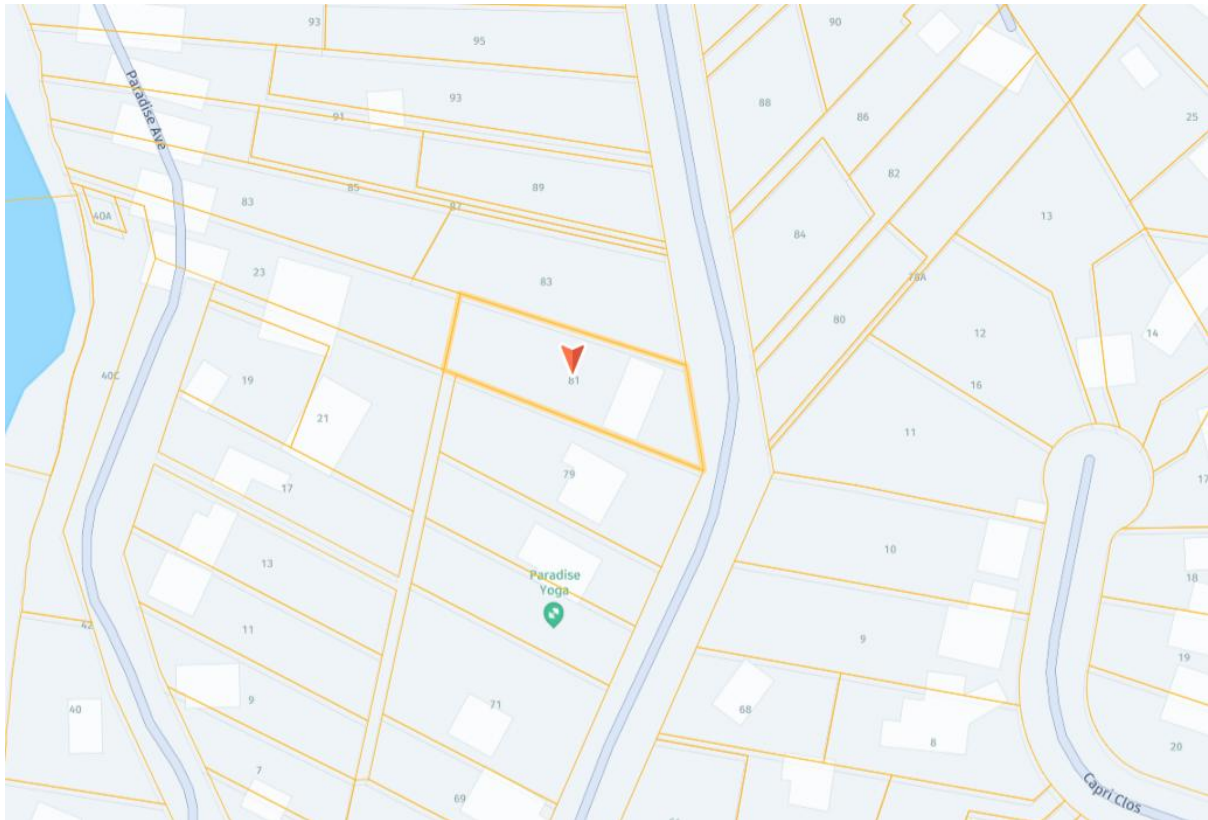
The site is not listed as a heritage item, nor is it located within a heritage conservation area.

2.2 Site and Locality Description

The site is located on the western side of Riverview Road, north of the intersection with Paradise Avenue and south of the intersection with Trappers Way. The site is irregular in shape with a 25.175m eastern frontage to Riverview Road, a 65.94m southern boundary, a 55.99m northern boundary, and a 18.435m western rear boundary. The site has a total area of 1,227.5sqm. The site slopes approximately 17m from the front to the rear of site. The property has existing vehicular access off Riverview Road albeit not functional to current Australian Standards. The site is currently occupied by a one and two storey brick and clad house with a tiled roof. The locality maps below show the location and area of the site:



Source: Nearmap 2025



Source: Nearthmap 2025

The locality has a variety of property sizes due to the varying lot sizes and topography of the areas. The locality comprises a mix of single detached dwellings comprising of one to three storeys in height with varying front setbacks. It is also important to note the streetscape in relation to garage and carport structures built to the front boundary forward of the front building alignment (see visual analysis below). The proposal is not out of context and will fit in with the existing streetscape of the precinct.

Visual Analysis



Photograph of the subject site – 81 Riverview Road, Avalon Beach



Photograph of the existing concrete carpark bay – 81 Riverview Road, Avalon Beach



Photograph of the subject site looking north – note bend and blind spot which is dangerous for existing car provisions on-site



Adjoining property to the south 79 Riverview – note hardstand driveway and carport approved under current planning controls (N0569/16) – also note bend and ridge which makes it difficult for cars to enter and exit subject site safely



Adjoining property to the north 83 Riverview – note carport structure built to the front boundary forward of the front building alignment



59 Riverview (south of subject site) – note garage structure built to the front boundary forward of the front building alignment



63 Riverview (south of subject site) – note garage structure built to the front boundary forward of the front building alignment



65 Riverview (south of subject site) – note garage structure built to the front boundary forward of the front building alignment



67 Riverview (south of subject site) – note garage structure built to the front boundary forward of the front building alignment



69 Riverview (south of subject site) – note carport structure built to the front boundary forward of the front building alignment



75 Riverview (south of subject site) – note garage structure built to the front boundary forward of the front building alignment approved under current planning controls (N0284/15 and N0284/15/S96/1)



77 Riverview (south of subject site) – note carport structure built to the front boundary forward of the front building alignment approved under current planning controls (N0569/16)



89 Riverview (north of subject site) – note garage structure built to the front boundary forward of the front building alignment



89 Riverview (north of subject site) – note turning bay



93 Riverview (north of subject site) – note garage structure built to the front boundary forward of the front building alignment approved under current planning controls (N0046/16)



95 Riverview (north of subject site) – note carport structure built to the front boundary forward of the front building alignment



99 Riverview (north of subject site) – note garage structure built to the front boundary forward of the front building alignment



103 Riverview (north of subject site) – note carport structure built to the front boundary forward of the front building alignment with two crossovers

3. Proposal

The proposed development is for alterations and additions to the existing dwelling house and associated works at no. 81 Riverview Road, Avalon Beach. The proposal remains consistent with the streetscape of Riverview Road and the immediate locality. The proposal is consistent with relevant Council controls and ensures privacy and solar access are maintained for surrounding properties and the site. The proposed alterations and additions to the existing dwelling house and associated works include the following:

Demolition Works

- Removal of existing hardstand carpark bay and crossover at the front of the property.
- Removal of existing pedestrian access from Riverview Road including all hardstand paving and stairs within the front setback.
- Demolition works as depicted on the architectural drawing DA05.

Lower Ground Floor

- No change to existing

Ground Floor

- Floorplan to remain as existing

External Works

- Proposed crossover and driveway to Riverview Road
- Two-car carport with bin area
- Turning bay
- Garden
- Stairs

**Refer to architectural plans prepared by Action Plans Pty Ltd for a full description of all works.*

4. Statutory Planning Controls

The proposal has been assessed in accordance with the following instruments and controls:

- *Environmental Planning and Assessment Act 1979*, and *Environmental Planning and Assessment Regulation 2021*;
- *State Environmental Planning Policies*;
- *Pittwater Local Environmental Plan 2014*; and
- *Pittwater Development Control Plan 21*.

4.1 *Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)*

The EP&A Act 1979 governs all environmental planning instruments within New South Wales. The proposal has been reviewed pursuant to the matters for consideration within Section 4.15 of the EP&A Act 1979.

The proposal is not Designated Development under Section 4.10 of the EP&A Act 1979 or Schedule 3 of the EPA Assessment Regulation 2021, therefore Northern Beaches Council is the Consent Authority. In addition, the proposal does not constitute an Integrated Development under the EP&A Act 1979, Section 4.46 with no further approvals from other Government agencies required.

4.2 *State Environmental Planning Policies (SEPPs)*

SEPP (Transport and Infrastructure) 2021

It is submitted that the proposal does not fall under the provisions of SEPP (Transport and Infrastructure) 2021 and therefore no assessment is required.

SEPP (Sustainable Buildings) 2022

The proposal has been assessed in accordance with the relevant provisions of BASIX and Energy Efficiency. A BASIX Certificate has been prepared by Action Plans Pty Ltd and outlines the proposal's compliance with the provisions of BASIX and Energy Efficiency.

SEPP (Resilience and Hazards) 2021

Chapter 2 Coastal management

The aims of Chapter 2 of the SEPP (Resilience and Hazards) 2021 is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*, including the management objectives for each coastal management area by:

- a) managing development in the coastal zone and protecting the environmental assets of the coast, and*
- b) establishing a framework for land use planning to guide decision-making in the coastal zone, and*

- c) *mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

Division 3 Coastal environment area



2.10 Development on land within the coastal environment area

(1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—*

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

(2) *Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—*

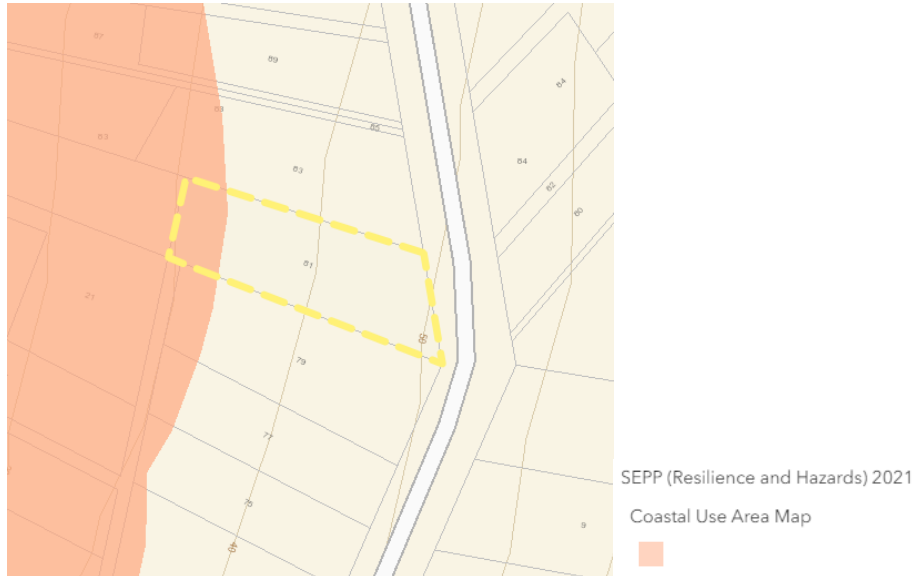
- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

(3) *This section does not apply to land within the Foreshores and Waterways Area within the meaning of [State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6.*

Complies – the extent of the works does not give rise to any impacts to any coastal environmental values, natural coastal processes, marine vegetation or existing public open space. The proposal is consistent with adjoining properties and the streetscape of Riverview Road.

The proposed alterations and additions avoid any adverse impacts to those areas identified within Clause 2.10(1) and have been designed to minimise any impacts to the coastal environment area. In this instance the proposal is supportable, and the consent authority can be satisfied that the proposal will comply with the relevant provisions of Division 3: Coastal Environment Area of the SEPP (Resilience and Hazards) 2021.

Division 4 Coastal use area



2.11 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—

(a) has considered whether the proposed development is likely to cause an adverse impact on the following—

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
- (iv) Aboriginal cultural heritage, practices and places,*
- (v) cultural and built environment heritage, and*

(b) is satisfied that—

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

(2) This section does not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.

Complies – the proposal complies with section 1(a) as it will:

- Not result in any adverse impacts to the existing safe access provided to the foreshore, any headland or rock platform in this immediate locality where members of the public have access to.
- Not result in overshadowing, wind funneling or the loss of any significant views from a public place to the foreshore.
- Ensure the visual amenity and scenic qualities of the coastline in this immediate locality are not impacted in any way by the proposed development.
- Not result in any impacts upon Aboriginal cultural heritage, practices or places.
- Ensure the cultural and built environment heritage in this locality are not impacted by the proposed development.

The proposal complies with section 1(b) as it:

- Has been designed and sited to avoid any adverse impacts referred to in Section (a) above. The building footprint has been designed to be consistent with other developments and is consistent with the front building alignment of neighbouring properties.
- Does not have any adverse impacts that need to be minimised to be compliant with section 1(a) above.

The proposal complies with section 1(c) as:

- The development has been designed considering the surrounding coastal and built environment and the bulk, size and scale of the development. The proposal is appropriate for the site and considered to be compatible with the existing and future character of the neighbourhood and surrounding environment. The site increases the usability of landscaping to that existing and is compatible in terms of building height and appearance for the locality.

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards
Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Complies – the proposed development will not increase the risk of coastal hazards on the subject site.

Chapter 4 Remediation of land

Chapter 4 of the SEPP (Resilience and Hazards) 2021 requires the consent authority to consider whether land is contaminated prior to granting of consent to the carrying out of any development on that land.

4.6 Contamination and remediation to be considered in determining development application

*(1) A consent authority must not consent to the carrying out of any development on land unless—
(a) it has considered whether the land is contaminated, and*

- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) The land concerned is—*
 - (a) land that is within an investigation area,*
 - (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—*
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

It is submitted that the site has been used for the purpose of residential accommodation for decades. The builder/contractors should take all measures to ensure if contamination is found during construction that relevant procedures are followed to report and remove contaminated materials. A site inspection revealed no evidence of land fill and on this basis the site is considered low risk and no further assessment is required.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021 relates to various rescinded SEPPs that related to the preservation of trees and vegetation, koala habitat and bushland in urban areas. The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The proposal includes the removal of ten (10) trees along the eastern front boundary. The application is supported by an Arboricultural Impact Assessment prepared by Hugh the Arborist as well as a BDAR Report prepared by Land Eco Consulting Pty Ltd. The proposal has been designed with regards to mitigate, minimise and avoid. The proposal has been designed to maintain the dense vegetation at the rear of the property. On this basis, it is our professional opinion that the proposal meets the relevant provisions of the SEPP.

4.3 Pittwater Local Environmental Plan 2014 (PLEP2014)

The relevant matters to be considered under PLEP2014 are outlined below in the LEP summary compliance table.

Part 1: Preliminary		
Standard	Control	Comments
1.2 Aims of Plan	<p>(2) The particular aims of this Plan are as follows—</p> <p>(a) to promote development in Pittwater that is economically, environmentally and socially sustainable,</p> <p>(b) to ensure development is consistent with the desired character of Pittwater's localities,</p> <p>(c) to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,</p> <p>(d) to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future,</p> <p>(e) to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,</p> <p>(f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,</p> <p>(g) to protect and enhance Pittwater's natural environment and recreation areas,</p> <p>(h) to conserve Pittwater's European and Aboriginal heritage,</p>	<p>Complies – the proposal has been skilfully designed by the project designer as alterations and additions to the existing dwelling. The proposal enhances and creates a more functional dwelling for the occupants, while ensuring no adverse impacts to adjoining neighbours or to the Avalon locality. The proposed works will have no adverse impacts on the streetscape or the character of the locality. The proposed works have been thoughtfully designed with regard for Pittwater's natural environment areas ensuring that the alterations and additions will not adversely affect any sensitive adjoining areas.</p>

	(i) to minimise risks to the community in areas subject to environmental hazards including climate change, (j) to protect and promote the health and well-being of current and future residents of Pittwater.	
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Part 4: Principal Development Standards			
Standard	Permitted	Proposed	Comments
4.1 Minimum subdivision lot size	700sqm	N/A	N/A – no change proposed to the existing lot size.
4.1AA Minimum subdivision lot size for community title schemes	N/A	N/A	N/A
4.1B Minimum lot sizes for dual occupancies	N/A	N/A	N/A
4.2 Rural subdivision	N/A	N/A	N/A
4.2A Minimum subdivision lot size for strata plan schemes in certain rural, residential and environment protection zones	N/A	N/A	N/A
4.3 Height of buildings	8.5m	6.66m	Complies – the proposed carport structure has a maximum height of 6.66m.
4.4 Floor space ratio	N/A	N/A	N/A
4.5 Calculation of floor space ratio and site area	Noted	N/A	Noted
4.5A Density controls for certain residential accommodation	N/A	N/A	N/A
4.6 Exceptions to development standards	Noted	N/A	N/A – no variation to development standards proposed.

Part 5: Miscellaneous Provisions	
Provisions	Comments
5.1 Relevant acquisition authority	N/A
5.1A Development on land intended to be acquired for a public purposes	N/A

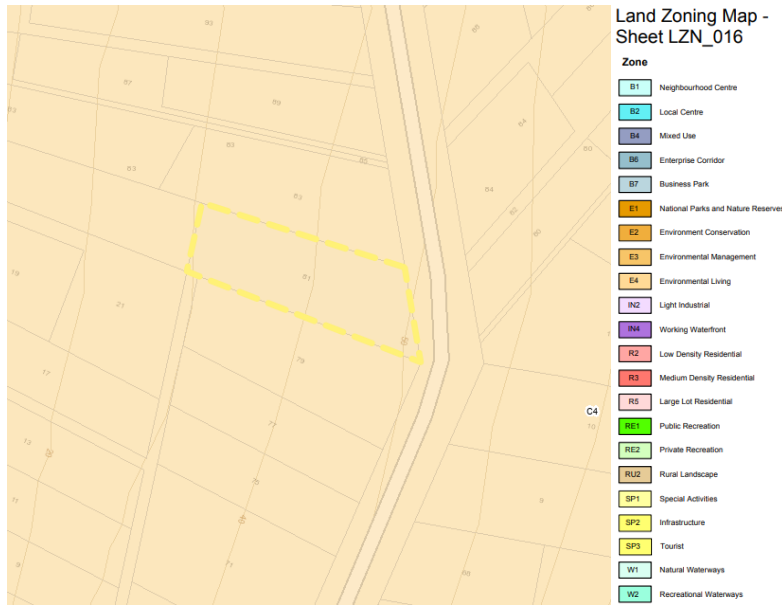
5.2 Classification and reclassification of public land	N/A
5.3 Development near zone boundaries	N/A
5.4 Controls relating to miscellaneous permissible uses	N/A
5.5 Controls relating to secondary dwellings on land in a rural zone	N/A
5.6 Architectural roof features	N/A
5.7 Development below mean high water mark	N/A
5.8 Conversion of fire alarms	N/A
5.9 Dwelling house or secondary dwelling affected by natural disaster	N/A
5.9AA (Repealed)	N/A
5.10 Heritage conservation	N/A – the subject site is not identified as a heritage item or within a conservation area.
5.11 Bush fire hazard reduction	N/A
5.12 Infrastructure development and use of existing buildings of the Crown	N/A
5.13 Eco-tourist facilities	N/A
5.14 Siding Spring Observatory – maintaining dark sky	N/A
5.15 Defence communications facility	N/A
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones	N/A
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	N/A
5.18 Intensive livestock agriculture	N/A
5.19 Pond-based, tank-based and oyster aquaculture	N/A
5.20 Standards that cannot be used to refuse consent—playing and performing music	N/A
5.21 Flood Planning	N/A – the site is not identified as flood prone land.
5.22 Special Flood Considerations	N/A
5.23 Public Bushland	N/A
5.24 Farm Stay Accommodation	N/A
5.25 Farm Gate Premises	N/A

Part 6: Urban Release Areas	
Provisions	Comments
6.1 to 6.2	N/A – the site is not located within an urban release area.

Part 7: Relevant Additional Local Provisions	
Provisions	Comments
7.1 Acid sulfate soils	The site is identified as Class 5 Acid Sulfate Soils. Refer to assessment under 7.1 Acid Sulfate Soils.
7.2 Earthworks	The proposal includes minor excavation works. Refer to assessment under 7.2 Earthworks.
7.3, 7.4 (Repealed)	N/A
7.5 Coastal risk planning	N/A
7.6 Biodiversity	The proposal is identified within the biodiversity map. Refer to assessment under 7.6 Biodiversity.
7.7 Geotechnical hazards	The proposal is identified within the geotechnical hazards map. Refer to assessment under 7.7 Geotechnical Hazards.
7.8 Limited development on foreshore area	N/A
7.9 Residual lots	N/A
7.10 Essential service	Complies – the site has adequate access to the relevant essential services.
7.11 Converting serviced apartments to residential flat buildings	N/A
7.12 Location of sex service premises	N/A
7.13 Development on land at 6 Mitchell Road, Palm Beach	N/A

Relevant Schedules	
Schedule	Comments
Schedule 1 – Additional permitted uses	N/A
Schedule 2 – Exempt development	N/A
Schedule 3 – Complying development	N/A
Schedule 4 – Classification and reclassification of public land	N/A
Schedule 5 – Environmental heritage	N/A
Schedule 6 – Pond-based and tank-based aquaculture	N/A

Zoning Provisions



Zone C4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To provide for residential development of a low density and scale integrated with the landform and landscape.
- To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures

4 Prohibited

Industries; Local distribution premises; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

The proposed use is defined as follows under PLEP2014:

dwelling house means a building containing only one dwelling.

Note— Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

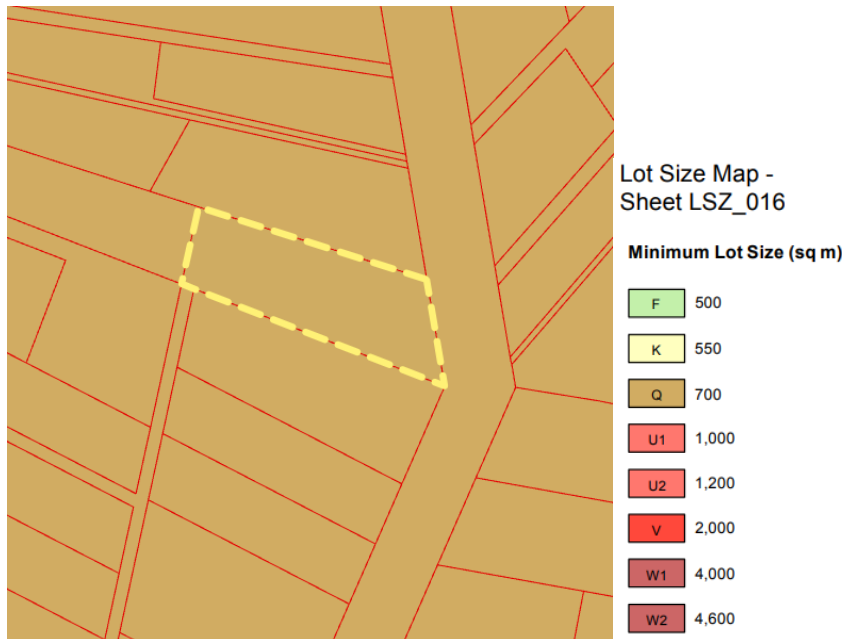
Comment:

Complies – the site is zoned C4 Environmental Living. A dwelling house and associated works are permissible land uses; therefore, the proposed alterations and additions are permissible with Council's consent. The proposal is consistent with the objectives of the zone, as supported below:

- The proposal provides a low-impact residential development within the Avalon locality that is sympathetic and protective towards the special ecological values in the area.
- The proposed works have been designed to mitigate and minimise effects on the ecological values identified near and adjacent to the site.
- The proposal encourages the revitalisation and rehabilitation of the existing site while retaining the aesthetic values, ecological aspects of the area.
- The proposal has been strategically designed to sit in the topography of the land to minimise bulk, scale and amenity impacts to adjoining neighbours such as privacy, and access to sunlight.
- The proposal relates to providing a safe driveway and parking facility for the occupants of the site within a bulk and scale that is compatible with the streetscape.
- The proposed development will have no impact on any riparian and foreshore vegetation and will retain and protect any wildlife corridors.

Part 4 Principal development standards

4.1 Minimum subdivision lot size



(1) *The objectives of this clause are as follows—*

- to protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality,*
- to provide for subdivision where all resulting lots are capable of providing for the construction of a building that is safe from hazards,*

- (c) to provide for subdivision where all resulting lots are capable of providing for buildings that will not unacceptably impact on the natural environment or the amenity of neighbouring properties,
- (d) to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,
- (e) to provide for subdivision where all resulting lots can be provided with adequate and safe access and services,
- (f) to maintain the existing function and character of rural areas and minimise fragmentation of rural land,
- (g) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.

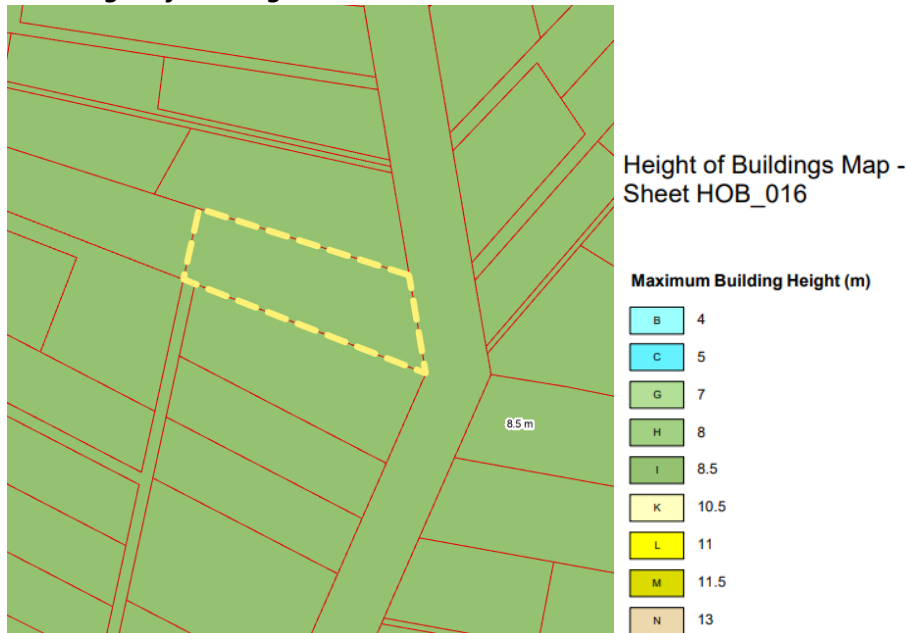
(4) This clause does not apply in relation to the subdivision of any land—

- (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or
- (b) by any kind of subdivision under the Community Land Development Act 1989.

Comment:

Not applicable – the site has a minimum lot size of 700sqm. The proposal does not change the lot size of the property, nor does it propose any subdivision amendments. Clause 4.1 is not applicable to this assessment.

4.3 Height of buildings



(1) The objectives of this clause are as follows—

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,
- (b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,
- (c) to minimise any overshadowing of neighbouring properties,
- (d) to allow for the reasonable sharing of views,
- (e) to encourage buildings that are designed to respond sensitively to the natural topography,
- (f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

(2A) Despite subclause (2), development on land—

- (a) at or below the flood planning level or identified as “Coastal Erosion/Wave Inundation” on the Coastal Risk Planning Map, and
- (b) that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map,
may exceed a height of 8.5 metres, but not be more than 8.0 metres above the flood planning level.

(2B) Despite subclause (2), development on land—

- (a) at or below the flood planning level or identified as “Coastal Erosion/Wave Inundation” on the Coastal Risk Planning Map, and
- (b) that has a maximum building height of 11 metres shown for that land on the Height of Buildings Map,
may exceed a height of 11 metres, but not be more than 10.5 metres above the flood planning level.

(2C) Despite subclause (2), development on an area of land shown in Column 1 of the table to this subclause and identified as such on the Height of Buildings Map, may exceed the maximum building height shown on the Height of Buildings Map for that land, if the height of the development is not greater than the height shown opposite that area in Column 2.

Column 1	Column 2
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Area	Maximum height above the flood planning level
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Area 1	11.5 metres
Area 2	8.5 metres on the street frontage and 10.5 metres at the rear
Area 3	8.5 metres
Area 4	7.0 metres

(2D) Despite subclause (2), development on land that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map may exceed a height of 8.5 metres, but not be more than 10.0 metres if—

- (a) the consent authority is satisfied that the portion of the building above the maximum height shown for that land on the Height of Buildings Map is minor, and
- (b) the objectives of this clause are achieved, and
- (c) the building footprint is situated on a slope that is in excess of 16.7 degrees (that is, 30%), and
- (d) the buildings are sited and designed to take into account the slope of the land to minimise the need for cut and fill by designs that allow the building to step down the slope.

(2E) Despite subclause (2), development for the purposes of shop top housing on land identified as “Area 5” on the Height of Buildings Map may have a height of up to 10 metres if the top floor of the building is setback a minimum of 6 metres from the boundary to the primary street frontage.

(2F) Despite subclause (2), development on land identified as “Area 6” on the Height of Buildings Map must not exceed 8.5 metres within the area that is 12.5 metres measured from the boundary of any property fronting Orchard Street, Macpherson Street, Warriewood Road or Garden Street.

(2FA) Despite subclause (2), the maximum height for a secondary dwelling or a rural worker’s dwelling in Zone E4 Environmental Living or Zone RU2 Rural Landscape is 5.5 metres if the secondary dwelling or rural worker’s dwelling is separate from the principal dwelling.

(2FB) Despite subclause (2), in the case of a dual occupancy (detached), the maximum height for the dwelling that is furthest back from the primary street frontage of the lot is 5.5 metres.

(2G) In this clause—

***flood planning level** means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard, or other freeboard determined by an adopted floodplain risk management plan.*

***floodplain risk management plan** has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.*

Comment:

Complies – the site has a maximum building height provision of 8.5m. The proposed carport structure has been designed with a maximum building height of 6.66m. The proposal complies with the prescribed building height and with the objectives of clause 4.3 Height of Buildings.

4.4 Floor space ratio

Comment:

Not applicable.

4.6 Exceptions to development standards

Comment:

Not applicable – the proposed alterations and additions to the existing dwelling house will not result in any contravention to a development standard and therefore the proponent does not provide a written request to contravene a development standard imposed by this or any other environmental planning instrument. Clause 4.6 is not applicable to this Development Application.

Part 5 Miscellaneous provisions

5.10 Heritage conservation

Comment:

Not applicable – the site is not identified as a heritage item nor is it located within a conservation area.

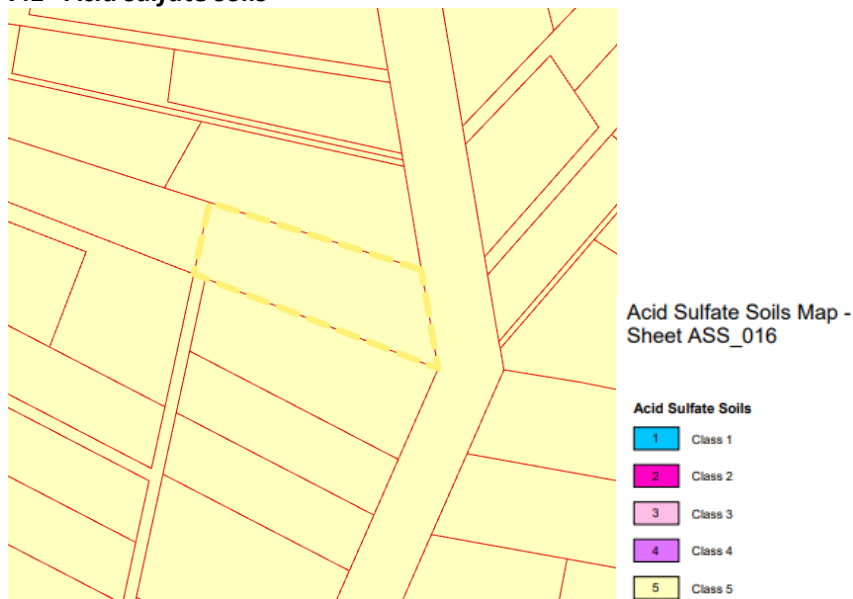
5.21 Flood planning

Comment:

Not applicable – the subject site is not identified as flood prone land.

Part 7 Additional local provisions

7.1 Acid sulfate soils



(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class of land	Works
1	Any works.
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.

(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if—

- (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and
- (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—

- (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,*
- (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),*
- (c) minor work, being work that costs less than \$20,000 (other than drainage work).*
- (6) Despite subclause (2), development consent is not required under this clause to carry out any works if—*
 - (a) the works involve the disturbance of less than 1 tonne of soil, and*
 - (b) the works are not likely to lower the watertable.*

Comment:

Complies – the site is identified as Class 5 Acid Sulfate Soils. The proposal does not include any major excavation works which would trigger the requirements of an acid sulfate soils management plan.

7.2 Earthworks

- (1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*
- (2) Development consent is required for earthworks unless—*
 - (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
 - (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*
- (3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*
 - (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
 - (b) the effect of the development on the likely future use or redevelopment of the land,*
 - (c) the quality of the fill or the soil to be excavated, or both,*
 - (d) the effect of the development on the existing and likely amenity of adjoining properties,*
 - (e) the source of any fill material and the destination of any excavated material,*
 - (f) the likelihood of disturbing relics,*
 - (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
 - (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,*
 - (i) the proximity to and potential for adverse impacts on any heritage item, archaeological site or heritage conservation area.*

- (4) In this clause—*

environmentally sensitive area has the same meaning as environmentally sensitive area for exempt or complying development in clause 3.3.

Note— The National Parks and Wildlife Act 1974, particularly section 86, deals with harming Aboriginal objects.

Comment:

Complies – the proposal includes minor excavation works for the construction of the carport structure including all footings, structural piers and beams. The development application is supported by a geotechnical assessment prepared by Crozier Geotechnical Consultants. The conclusions of the report are provided below under Heading Clause 7.7 Geotechnical hazards. The proposed earthworks comply with the objectives of Clause 7.2 and are consistent with other approvals granted in the area.

7.6 Biodiversity



- (1) *The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by—*
 - (a) *protecting native fauna and flora, and*
 - (b) *protecting the ecological processes necessary for their continued existence, and*
 - (c) *encouraging the conservation and recovery of native fauna and flora and their habitats.*
- (2) *This clause applies to land identified as “Biodiversity” on the Biodiversity Map.*
- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider—*
 - (a) *whether the development is likely to have—*
 - (i) *any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - (ii) *any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - (iii) *any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
 - (iv) *any adverse impact on the habitat elements providing connectivity on the land, and*
 - (b) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

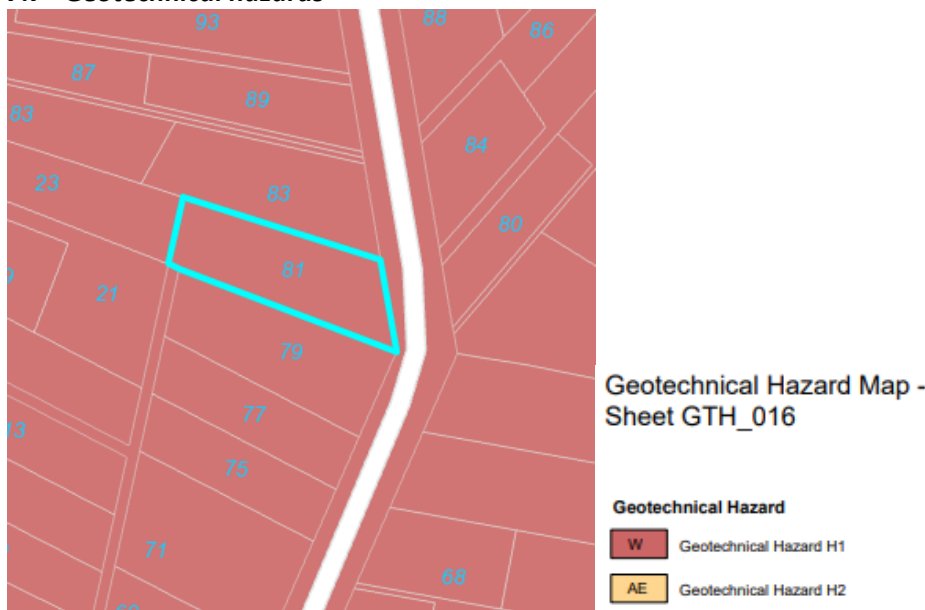
Comment:

The site is identified on the biodiversity values map as well as the terrestrial biodiversity map. The proposed alterations and additions have been designed to minimise any impact on the biodiversity of the site. The proposal meets the objectives of Clause 7.6 in that it:

- Protects and enhances native fauna and flora within the site based on the requirements for a safe and accessible parking area.
- Protects the existing ecological processes for the site
- Assists in encouraging the conservation and recovery of native fauna and flora.

The proposal does include the removal of trees within the front setback. The Biodiversity Offsets Scheme applies to development that involves the clearing of native vegetation or a prescribed impact on biodiversity (under Clause 6.1 of the Biodiversity Conservation Regulation). The proposal is supported by an arboricultural impact assessment report prepared by Hugh the Arborist as well as a Biodiversity Development Assessment Report (BDAR) prepared by Land Eco Consulting Pty Ltd.

7.7 Geotechnical hazards



(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards—

- (a) matches the underlying geotechnical conditions of the land, and*
- (b) is restricted on unsuitable land, and*
- (c) does not endanger life or property.*

(2) This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks—

- (a) site layout, including access,*
- (b) the development’s design and construction methods,*
- (c) the amount of cut and fill that will be required for the development,*
- (d) waste water management, stormwater and drainage across the land,*
- (e) the geotechnical constraints of the site,*
- (f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

(4) Development consent must not be granted to development on land to which this clause applies unless—

- (a) the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and*
- (b) the consent authority is satisfied that—*
 - (i) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or*
 - (ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or*
 - (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.*

Comment:

Complies – the site is identified as hazard H1 within the geotechnical hazard map. The proposed works have been designed to minimise excavation requirements to mitigate any impacts to the geotechnical stability of the site or to adjoining properties. The proposal is supported by a Geotechnical Assessment Report prepared by Crozier Geotechnical Consultants which provided the following conclusions:

The inspection and assessment identified no obvious significant 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 Pittwater Council Geotechnical Risk Management Policy 2009 and no credible landslip hazards were identified.

The proposed development involves minor alterations bulk excavation is not envisaged.

The proposed works are relatively minor from a geotechnical perspective and should not create any new instability, therefore the proposed works are separate from and not affected by a geotechnical hazard, and no further geotechnical assessment or reporting is required as part of this DA.

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

7.10 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable vehicular access.*

Comment:

Complies – the proposal will utilise existing essential services available to the site.

General

The site is not identified on the following maps:

- Land Reservation Acquisition Map
- Riparian Lands and Watercourses Map
- Key Sites Map
- Additional Permitted Uses Map
- Heritage Map
- Wetlands Map
- Watercourse Map
- Active Street Frontages Map
- Foreshore Building Line Map
- Bush Fire Prone Land Map
- Flood Hazard Map

4.4 Pittwater Development Control Plan (PDCP21)

In designing the proposed changes to the built form, due consideration has been given to the respective sections and objectives of PDCP21, in particular:

Key components of the DCP have been detailed below. The proposal is compliant with relevant provisions of the PDCP21.

Section A Shaping Development in Pittwater		
Control	Proposed	Compliance
<p>A4.1 Avalon Beach Locality</p> <p><u>Desired Character</u> <i>The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity, fewer hazards and other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, commercial, community and recreational facilities will serve the community.</i></p> <p><i>Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Vehicular and pedestrian access into and through the locality is good. Pedestrian links, joining the major areas of open space (Angophora Reserve, Stapleton Park and Hitchcock Park) and along the foreshores, should be enhanced and upgraded. Similarly, cycle routes need to be provided through the locality. Carparking should be provided on site and where possible integrally designed into the building.</i></p>	<p>The proposal has been strategically designed by the project designer and the client with a view to provide functional improvements to the existing dwelling with minimal impact to the adjoining neighbours and no adverse impacts to the environmentally sensitive areas or heritage items adjoined to the subject site.</p> <p>The proposal complies with the desired character of the Avalon Beach locality and therefore warrants approval, as submitted.</p>	<p>Yes</p>

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 development. The objective is that there will be houses amongst the trees and not trees amongst the houses.

Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

Most houses are set back from the street with low or no fencing and vegetation is used extensively to delineate boundary lines. Special front building line setbacks have been implemented along Avalon Parade to maintain the unique character of this street. This, coupled with the extensive street planting of canopy trees, gives the locality a leafy character that should be maintained and enhanced.

The design, scale and treatment of future development within the Avalon Beach Village will reflect the 'seaside-village' character of older buildings within the centre, and reflect principles of good urban design. External materials and finishes shall be natural with smooth shiny surfaces avoided. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

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, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors. The natural landscape

<p><i>of Careel Bay, including seagrasses and mangroves, will be conserved. Heritage items and conservation areas indicative of early settlement in the locality will be conserved, including the early subdivision pattern of Ruskin Rowe.</i></p> <p><i>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.</i></p>		
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Section B General Controls		
Control	Proposed	Compliance
B1 Heritage Controls		
B1.1-1.4	Not applicable – the subject site is not identified as a heritage item or within a conservation area	N/A
B2 Density Controls		
B2.1-B2.6	Not applicable – the proposal does not include Torrens or strata subdivision	N/A
B3 Hazard Controls		
<p>B3.1 Landslip Hazard</p> <p><i>All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5).</i></p> <p><i>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 Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development.</i></p> <p><i>The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of</i></p>	<p>Complies – the land is identified as a ‘Geotechnical Hazard H1’ on the Pittwater Local Environmental Plan 2014 Geotechnical Hazard Map the proposal is supported by a geotechnical assessment report prepared by Crozier Geotechnical Consultants.</p>	Yes

<i>risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.</i>		
B3.6 Contaminated Land and Potentially Contaminated Land <i>Addressed in Chapter 4 of SEPP (Resilience and Hazards) 2021</i>	Complies – it is submitted that the site has been used for the purpose of residential accommodation for decades. The builder/contractors should take all measures to ensure if contamination is found during construction that relevant procedures are followed to report and remove contaminated materials.	Yes
B4 Controls Relating to the Natural Environment		
B4.1-B422	Complies – the site is identified within the Biodiversity Values Map. The proposal is supported by an Arboricultural Impact Assessment prepared by Hugh the Arborist and a Biodiversity Development Assessment (BDAR) Report prepared by Land Eco Consulting Pty Ltd.	Yes
B5 Water Management		
B5.15 Stormwater <i>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</i> <i>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</i>	Complies – all new roofed structures will connect to existing stormwater provisions on-site. Refer to Stormwater Plan prepared by Amuna Civil Engineering Pty Ltd.	Yes
B6 Access and Parking		
B6.1 Access driveways and Works on the Public Road Reserve <i>Controls</i> <i>General Requirements</i> <i>Access Driveways include the driveway pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve</i>	The proposal includes a new extended driveway and crossover to Riverview Road. The proposal has been designed to provide a functional and safe driveway for the dwelling incorporating provisions for a turning bay to allow for safe and efficient vehicular maneuverability on-site, and to	Yes

<p><i>between the road edge and property boundary as illustrated in Appendix 10 - Driveway Profiles.</i></p> <p><i>An Access Driveway to the standards as set out below must be provided for:</i></p> <ul style="list-style-type: none"> <i>any new development;</i> <i>any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m²; and</i> <i>where additional car parking spaces and/or garages are proposed.</i> <p><i>Where there is an existing driveway and the applicant proposes to retain the existing driveway, the applicant will be required to demonstrate compliance with this control.</i></p> <p><i>Access Driveway Design</i></p> <p><i>The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:</i></p> <ul style="list-style-type: none"> <i>Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking.</i> <i>Australian Standard AS/NZS 2890.2-2002: Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities except as qualified in this control.</i> <p><i>Number of Access Driveways per Allotment</i></p> <p><i>The number of permissible Access Driveways to an allotment is as follows:</i></p> <ul style="list-style-type: none"> <i>where the frontage of an allotment to a local public road is less than 30m, one only access driveway.</i> <i>where the frontage of an allotment to a local public road is 30m or more, a second access driveway will be considered on merit.</i> <i>where the allotment has a frontage to a second local public road, one additional access driveway to the</i> 	<p>allow cars to enter and exit the site in a forward direction. The proposed driveway design complies with all relevant Australian Standards and has been appropriately designed to provide adequate sight distance to maximise pedestrian and vehicular safety. Refer to Driveway Plan prepared by Amuna Civil Engineering Pty Ltd.</p> <p>The requirement for a new parking space and driveway with a turning bay is essential for a safe and accessible space noting the location of the property on a bend with varying topography which makes reversing unsafe. It is also noted that the immediate road area does not allow on-street parking, therefore two car spaces is essential for the occupants of the site.</p>	
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<p><i>second local road frontage will be considered on merit, based on Council's consideration of the site constraints.</i></p> <p><i>Council, under the Local Government Act 1993, may direct as to which frontage access is to be gained where traffic safety issues are a consideration.</i></p> <p><i>Shared Driveways and Access Driveways located in front of adjoining properties</i></p> <p><i>Shared Access Driveways shared between adjoining private properties and Access Driveways located in front of adjoining properties will be considered on merit, based on Council's consideration of the site constraints.</i></p> <p><i>Access Driveway for Service Vehicles to Loading Dock</i></p> <p><i>Access Driveways providing access for service vehicles to loading docks must be separated from access used by the general public for access to public parking areas.</i></p> <p><i>Access Driveways providing access for service vehicles to loading docks shall, where practical, be located on a rear public road frontage providing separation from pedestrian activity.</i></p> <p><i>Where Access Driveways are located on the same frontage, the minimum distance between an Access Driveway for service vehicles and an Access Driveway for the general public shall be 5 metres from the inside edge to the inside edge of the Access Driveways.</i></p> <p><i>Access Driveway Location</i></p> <p><i>Access Driveways shall be designed and located to provide adequate sight distance</i></p>		
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to maximise pedestrian and vehicular safety as follows:

- *minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 kph speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; and*
- *minimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary.*

For corner allotments, the closest point of the Access Driveway shall be located at the maximum practical distance from the intersection of adjoining roads, being no closer than 6m from the tangent point at the kerb.

For corner allotments adjacent to traffic signals, the location of the Access Driveway will be subject to the approval of the Roads and Maritime Services as the authority responsible for traffic signal facilities.

For developments in commercial centres where separate entry/exit vehicular access is required, access driveways for entry and exit are to be separated by a minimum distance of 2 metres.

The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.

Access Driveway Width

The maximum width of an Access Driveway for dual occupancies, dwellings houses, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation shall be as follows:

Distance Building Line to Boundary
Nil to 3.5m
Greater than 3.5m to 6.5m
Greater than 6.5m

Width at Boundary
Width of car parking area or garage opening
4.0m
3.0m

Width at Kerb
Width of car parking or garage opening plus 0.5m
4.5m
3.5m

Access Driveway width can be varied subject to a merit based consideration.

Access Driveway Profile and Gradient

Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles.

Access Driveway Construction and Finishes

All Access Driveways shall be constructed with an impervious pavement and gutter crossing construction.

Gutter crossings are to be in plain concrete.

Access Driveways are to be in plain concrete. Cosmetic Access Driveways on a public road reserve are not permitted.

Access Driveways are to match with the adjacent constructed footpaths or alternatively adjacent constructed footpaths are to be adjusted to provide a continuous surface with no trip points with a maximum 1:14 (V:H) transition.

The Access Driveway is to be structurally adequate for its intended use.

Suspended driveways must not use the existing road structure for support.

<p><i>Ancillary Structures within the Road Reserve</i></p> <p><i>Ancillary structures within the Road Reserve will be supported for the purposes of structurally supporting the access driveway only. Ancillary structures include retaining walls.</i></p> <p><i>Encroachment into the road reserve is to be minimised.</i></p> <p><i>Where retaining walls and structures are visible from a public place, preference is given to the use of textured finishes of dark earthy tones or sandstone-like finishes.</i></p> <p><i>All structural elements within the Road Reserve must be certified by a Structural Engineer.</i></p> <p><i>In addition, where the land is identified on the Landslip Hazard Map, the design of all structural elements must satisfy the Landslip Hazard Controls.</i></p> <p><i>Access Driveway - Stormwater Drainage</i></p> <p><i>All Access Driveways on the low side of the road are to be designed and constructed such that stormwater drainage is directed away from the Access Driveway.</i></p> <p><i>Access Driveway and Public Utilities Costs</i></p> <p><i>The cost for Access Driveways construction and maintenance and adjustment of any utility service is the responsibility of the Applicant.</i></p>		
<p>B6.2 Internal Driveways</p> <p><i>Controls</i></p> <p><i>General</i></p> <p><i>An Internal Driveway must be provided for in:</i></p> <ul style="list-style-type: none"> <i>any new development;</i> 	<p>The proposal includes a widened internal driveway servicing the proposed carport. The driveway long sections prepared by Amuna Civil Engineering Pty Ltd show the proposed gradients from the kerb crossover to property boundary and carport level.</p>	<p>Yes</p>

<ul style="list-style-type: none"> • <i>development where additional car parking spaces and/or garages are required by Council's plans or policies;</i> • <i>any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m² ; and</i> • <i>development where additional car parking spaces and/or garages are proposed.</i> <p><i>If the applicant proposes to retain the existing driveway, the applicant will need to demonstrate compliance with the outcomes and driveway standards of this control.</i></p> <p><i>Internal Driveway</i></p> <p><u><i>Internal Driveway Profiles</i></u></p> <p><i>Internal Driveways are to be designed and constructed to provide safe access and shall have a maximum gradient of 1:5 (V:H). Recommended maximum gradient of an Internal Driveway for a distance of 2m on the approach to a garage, parking area or carport is 1:20 (V:H). There must be a minimum 2 metre long transition between the driveway and the garage/parking area/carport in accordance with the standards.</i></p> <p><i>For Internal Driveways on steeply sloping or difficult sites, gradients may be increased up to 1:4 (V:H) over a maximum 20 metre length.</i></p> <p><i>Provision is to be made for vehicles to enter and leave the site in a forward direction, where:</i></p> <ul style="list-style-type: none"> • <i>the internal driveway grade exceeds 1:4 (V:H);</i> • <i>the land abuts a roadway subject to high pedestrian use (e.g. School, Commercial Centre);</i> 		
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<ul style="list-style-type: none"> • driveways are more than 30m in length; and • the driveway enters onto a classified road. <p><u>Internal Driveway Stormwater Drainage</u></p> <p>Internal Driveway grades, cross falls and grated drains are to be designed to reduce discharge into the public drainage system and to maximise stormwater discharge into adjacent landscape areas by the use of grass swales and soakage pits.</p> <p><u>Internal Driveway Construction/Finishes</u></p> <p>Internal Driveways shall have a stable surface for all weather construction. Internal Driveways where visible from a public road or public place are to be constructed of materials that blend with the environment and of dark earthy tones or natural materials.</p> <p><u>Internal Driveway Design for all other uses than dual occupancies, dwelling house, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation.</u></p> <p>The design of all Internal Driveways and ramps shall be in accordance with the current edition of the following Australian Standards:</p> <ul style="list-style-type: none"> • Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Off-Street Car Parking. • Australian Standard AS/NZS 2890.2-2002: Parking Facilities - Off-Street Commercial Vehicle Facilities except as qualified in this control. <p><u>Driveway width for dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation.</u></p>		
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<p><i>The Internal Driveway shall be contained within the driveway corridor. The minimum width of the driveway corridor (i.e. impervious pavements together with grassed shoulder area) shall be as follows:</i></p> <ul style="list-style-type: none"> • <i>Single Dwelling: 3.0 metres minimum.</i> • <i>Dual Occupancy: 3.0 metres minimum.</i> • <i>Combined driveway for more than 2 dwellings: 3.0 metres minimum except where the driveway length exceeds 40 metres, a passing bay to an overall minimum width of 5.0 metres for a length of 10 metres with suitable transitions to the adjacent narrow driveway.</i> <p><u><i>Internal Driveway and Driveway Corridor Width for all other development than dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation</i></u></p> <p><i>Internal Driveways shall be designed and constructed to the minimum practical pavement width needed to facilitate access and turning movements.</i></p> <p><i>Internal Driveways shall be designed and constructed to minimise the area of impervious pavement within the land. Track style driveways are encouraged where practical.</i></p> <p><i>Turning movements are to be in accordance with the turning paths for a B85 vehicle (Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking).</i></p>		
<p>B6.3 Off-Street Vehicle Parking Requirements Controls <i>The minimum number of vehicle parking spaces to be provided for off-street parking is as follows for dual occupancies, dwelling</i></p>	<p>The proposed carport accommodates parking for two (2) vehicles on-site. The proposal complies with the relevant Australian Standards for parking.</p>	<p>Yes</p>

<p>houses, secondary dwellings, exhibition homes, rural workers’ dwellings and tourist and visitor accommodation:</p> <table><tr><td colspan="2">Number of bedrooms per dwelling but not a secondary dwelling</td></tr><tr><td>1 bedroom</td><td></td></tr><tr><td>2 bedrooms or more</td><td></td></tr></table> <table><tr><td colspan="2">Parking requirements per dwelling</td></tr><tr><td>1 space</td><td></td></tr><tr><td>2 spaces</td><td></td></tr></table> <p><u>On-Site Car Parking Facilities</u></p> <p>The design of all parking areas shall be in accordance with the current edition of the following Australian Standards:</p> <ul style="list-style-type: none">• Australian Standard AS/NZS 2890.-12004: Parking Facilities Part 1: Off Street Car Parking;• Australian Standard AS/NZS 2890.2-2002: Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities;• Australian Standard AS/NZS 2890.3-1993: Parking Facilities Part 3: Bicycle Parking Facilities; and• Australian Standard AS/NZS 2890.6-2009: Parking Facilities – Part 6: Off-Street Parking for People with Disabilities except as qualified in this control.	Number of bedrooms per dwelling but not a secondary dwelling		1 bedroom		2 bedrooms or more		Parking requirements per dwelling		1 space		2 spaces			
Number of bedrooms per dwelling but not a secondary dwelling														
1 bedroom														
2 bedrooms or more														
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1 space														
2 spaces														
B8 Site Works Management														
<p>B8.1 Construction and Demolition - Excavation and Landfill</p> <p>Controls</p> <p>Excavation and landfill on any site that includes the following:</p> <ul style="list-style-type: none">• Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation;• Any excavation greater than 1.5 metres deep below the existing surface;• Any excavation that has the potential to destabilize a tree	<p>Complies – the proposal includes minor excavation works for the construction of the carport structure including all footings, structural piers and beams. The development application is supported by a geotechnical assessment prepared by Crozier Geotechnical Consultants. The proposal has been designed to mitigate any impacts to the geotechnical stability of the site or to adjoining properties. The proposed earthworks comply with relevant DCP controls and are</p>	<p>Yes</p>												

<p><i>capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property;</i></p> <ul style="list-style-type: none"> Any landfill greater than 1.0 metres in height; and/or Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, <p><i>must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.</i></p>	<p>consistent with other approvals granted in the area.</p>	
<p>B8.3 Construction and Demolition - Waste Minimisation</p> <p><i>Controls</i></p> <p><i>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.</i></p>	<p>Waste materials generated through demolition, excavation and construction works will be minimised through reuse, recycling, or disposal at an appropriate waste facility. Refer to Waste Management Plan for further details.</p>	Yes
<p>B8.4 Construction and Demolition - Site Fencing and Security</p> <p><i>Controls</i></p> <p><i>All sites are to be protected by site fencing for the duration of the works.</i></p>	<p>Noted – the site will be fenced during construction.</p>	Yes
<p>B8.5 Construction and Demolition - Works in the Public Domain</p> <p><i>Controls</i></p> <p><i>All works undertaken within the public road reserve must be protected in a manner to ensure pedestrian and vehicular safety at all times.</i></p> <p><i>All works undertaken on site or in the public road reserve must make provision for pedestrian and traffic flow and not adverse nuisance.</i></p>	<p>Complies – the proposal does include works within the public road reserve for the construction of the new crossover to Riverview Road servicing the allotment. The works are not expected to generate any unreasonable localised traffic impacts during construction, nonetheless all appropriate measures will be taken to ensure pedestrian and vehicular safety are maintained.</p>	Yes

<i>All works undertaken on a site or in the public road reserve must make good any damage or disruption to the public infrastructure.</i>		
<p>B8.6 Construction and Demolition - Traffic Management Plan</p> <p><i>Controls</i></p> <p><i>For all development where either excavated materials to be transported from the site or the importation of fill material to the site is 100m³ or greater, a Construction Traffic Management Plan indicating truck movements, and truck routes is to be provided and approved by Council prior to the commencement of works.</i></p> <p><i>All transport works must not cause adverse disruption or nuisance to adjoining residences, businesses or the street system.</i></p>	Not applicable – the proposed works are minor and do not require a traffic management plan.	N/A

Section C Development Type Controls

Control	Proposed	Compliance
<u>C1 Design Criteria for Residential Development</u>		
<p>C1.1 Landscaping</p> <p><i>Controls</i></p> <p><i>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.</i></p> <p><i>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.</i></p> <p><i>At least 2 canopy trees in the front yard and</i></p>	<p>Complies – the proposal has been designed to retain all significant vegetation and natural features on-site where possible. To reasonably construct an appropriately sized carport the proposal includes the removal of ten (10) trees along the eastern front boundary. The application is supported by an Arboricultural Impact Assessment prepared by Hugh the Arborist as well as a BDAR report prepared by Land Eco Consulting Pty Ltd. The proposal has been designed with regards to mitigate, minimise and avoid maintaining the dense vegetated areas at the rear of the property. The proposal complies with the controls and objectives of control C1.1 Landscaping and can be supported by Council as submitted.</p>	Yes

1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.

Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted.

The following soil depths are required in order to be counted as landscaping:

- 300mm for lawn
- 600mm for shrubs
- 1metre for trees

The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:

- A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments,
- 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and
- 50% for all other forms of residential development.

Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.

In bushfire prone areas, species shall be appropriate to the bushfire hazard.

Landscaping shall not unreasonably obstruct driver and pedestrian visibility.

Development shall provide for the reasonable retention and protection of

<p><i>existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.</i></p> <p><i>Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.</i></p> <p><i>Noxious and undesirable plants must be removed from the site</i></p>		
<p>C1.2 Safety and Security Controls <i>There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime</i></p>	<p>Complies - The proposed alterations and additions have been designed to comply with the four principles of CPTED.</p>	<p>Yes</p>
<p>C1.3 View Sharing Controls <i>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</i></p> <p><i>The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.</i></p> <p><i>Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.</i></p> <p><i>Views are not to be obtained at the expense of native vegetation.</i></p>	<p>Complies – the proposed alterations and additions will not impact any views or view corridors.</p>	<p>Yes</p>
<p>C1.4 Solar Access Controls <i>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</i></p>	<p>Complies – as demonstrated in the shadow diagrams prepared by Action Plans Pty Ltd, the proposal will have minimal shadowing impacts to the adjoining property to the south. The proposed works and</p>	<p>Yes</p>

<p><i>9am and 3pm on June 21st.</i></p> <p><i>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).</i></p> <p><i>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</i></p> <p><i>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</i></p> <p><i>The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.</i></p>	<p>minor additional shadowing will not result in any unreasonable impacts to the adjoining neighbours maintaining the minimum number of hours of direct solar access to principal living and private open space areas. The proposal complies with control C1.4 and can be supported by Council as submitted.</p>	
<p>C1.5 Visual Privacy Controls</p> <p><i>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).</i></p> <p><i>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.</i></p> <p><i>Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.</i></p>	<p>Complies – the proposed alterations and additions will have no visual privacy impacts to the adjoining neighbours. The proposed works will have no direct overlooking impacts to any adjacent private open space areas or to any habitable room windows to either of the adjoining properties to the north or south.</p>	<p>Yes</p>

<p><i>Direct views of private open space or any habitable room window within 9m can be restricted (see diagram below) by:</i></p> <ul style="list-style-type: none"> • <i>vegetation/landscaping</i> • <i>a window sill height 1.7 metres above floor level, or</i> • <i>offset windows</i> • <i>fixed translucent glazing in any part below 1.7 metres above floor level, or</i> • <i>solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:</i> <ul style="list-style-type: none"> • <i>permanent and fixed;</i> • <i>made of durable materials; and</i> • <i>designed and painted or coloured to blend in with the dwelling.</i> 		
<p>C1.6 Acoustic Privacy</p> <p><i>Controls</i></p> <p><i>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.</i></p> <p><i>Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the Building Code of Australia).</i></p> <p><i>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.</i></p> <p><i>Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.</i></p>	<p>Complies – the proposed development will not impact the acoustic amenity of the occupants, nor will it impact the amenity of adjoining neighbours.</p>	<p>Yes</p>

<p>C1.7 Private Open Space</p> <p><i>Controls</i></p> <p><i>Private open space shall be provided as follows:-</i></p> <p><u><i>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</i></u></p> <p><i>Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.</i></p> <p><i>Within the private open space area, a minimum principal area of 16m² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</i></p> <p><i>Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.</i></p> <p><i>Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).</i></p> <p><i>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</i></p> <p><i>Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private.</i></p> <p><i>A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient</i></p>	<p>Complies – the proposed alterations and additions are confined to the front of the property and have been designed to retain the private open space areas at the rear of the property. The proposal complies with the numerical requirements of control C1.7 providing an area of at least 80sqm of private open space accessible at ground level at appropriate dimensions and grades and with sufficient solar access.</p>	<p>Yes</p>
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<p><i>so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.</i></p> <p><i>Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.</i></p> <p><i>An accessible and usable area for composting facilities within the ground level private open space is required.</i></p>		
<p>C1.9 Adaptable Housing and Accessibility <i>Accessibility for all development</i></p> <p><i>Development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site from the public domain.</i></p> <p><i>Development within areas subject to flooding must provide for access on land within private ownership. In this regard ramps must not encroach into the public domain.</i></p>	Not applicable	N/A
<p>C1.12 Waste and Recycling Facilities <i>Controls</i> <i>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</i></p>	Complies – the application includes a Waste Management Plan as per Northern Beaches Councils requirements.	Yes
<p>C1.13 Pollution Control <i>Controls</i> <i>Residential development must be designed, constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.</i></p>	Complies - The proposal has been designed to minimise pollution and will be constructed and maintained in a proper and efficient manner to prevent air, water, noise and land pollution.	Yes

<p><i>Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.</i></p>		
<p>C1.14 Separately Accessible Structures Controls <i>A separately accessible structure may be permitted for use as a studio, home office, workshop area, rumpus room and the like, provided that:</i> <ul style="list-style-type: none"> i. <i>it is ancillary to a dwelling;</i> ii. <i>it is not designed for separate habitation and does not contain any cooking facilities.</i> </p>	Not applicable.	N/A
<p>C1.17 Swimming Pool Safety Controls <i>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.</i></p>	Not applicable.	N/A
<p>C1.23 Eaves Controls <i>Dwellings shall incorporate eaves on all elevations.</i> <i>Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.</i></p>	Not applicable – control C1.23 Eaves is considered outdated and inappropriate to enforce strict compliance with for contemporary construction and architectural practices. In accordance with recent approvals granted by Council, it is not necessary for the proposed development to incorporate eaves 450mm in width on all elevations.	N/A
<p>C1.24 Public Road Reserve - Landscaping and Infrastructure Controls <u><i>Landscaping General - All Development</i></u> <i>Landscaping within the public road reserve is</i></p>	Complies – no specific landscaping works are proposed within the public road reserve. Nonetheless, the landscaped areas will be maintained in accordance with the construction works that will take	Yes



<p><i>to include street trees planted at 6m centres.</i></p> <p><i>Street trees are to be planted to encourage the free passage of pedestrians.</i></p> <p><i>Street trees should not interfere with existing powerlines.</i></p> <p><i>All existing trees over 3m in height and native vegetation within the road reserve areas are to be retained where practical. The existing trees are to be protected during the construction of works through temporary perimeter fencing that is 1.8m high.</i></p> <p><i>New tree plantings are to be a minimum 35 litre size with 1m x1m hole and backfilled with suitable planting medium.</i></p> <p><i>Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with Hessian ties.</i></p> <p><i>To ensure a consistent streetscape the new tree plantings are to be the same as the existing adjacent street trees.</i></p> <p><i>Where appropriate, Council encourages the use of local endemic native species according to the list of local native species in Pittwater.</i></p> <p><i>Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.</i></p> <p><i>All work is subject to a Section 139 approval from Council.</i></p> <p><u><i>Dwelling Houses, Secondary Dwellings and Dual Occupancy</i></u></p> <p><i>The location of new landscaping (street trees) is not to hinder the future construction of a 1.5m wide footpath in location to be nominated by Council and is subject to a Section 139 approval from Council.</i></p>	<p>place within the public road reserve for the new crossover to Riverview Road. The proposal complies with control C1.24.</p>	
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<p>C1.25 Plant, Equipment Boxes and Lift Over-Run</p> <p><i>Controls</i> Where provided, plant and equipment boxes, air conditioning units and lift over-runs are to be integrated internally into the design fabric of the built form of the building. Council does not encourage air conditioning units on the roof of residential flat buildings and multi dwelling housing. The location of air conditioning units shall be indicated on development assessment plans for approval at the time of Development Application lodgement.</p> <p>Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.</p>	<p>Not applicable.</p>	<p>N/A</p>
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Section D Locality Specific Development Controls

Control	Proposed	Compliance
<u>D1 Avalon Beach Locality</u>		
<p>D1.1 Character as viewed from a public place</p> <p><i>Controls</i> 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.</p> <p>Walls without articulation shall not have a length greater than 8 metres to any street frontage.</p>	<p>The proposed alterations and additions are considered to be minor as they exclusively concern external works associated with the carport structure which do not influence the bulk and scale of the existing dwelling house.</p> <p>Due to the topographical site constraints the proposed carport structure will dominate the street frontage as its proposed location is forward of the front building alignment. This is acceptable in this instance as the proposal is consistent with the streetscape</p>	<p>Yes</p>

<p><i>Any building facade to a public place must incorporate at least two of the following design features:</i></p> <p><i>entry feature or portico;</i> <i>awnings or other features over windows;</i> <i>verandahs, balconies or window box treatment to any first floor element;</i> <i>recessing or projecting architectural elements;</i> <i>open, deep verandahs; or</i> <i>verandahs, pergolas or similar features above garage doors.</i></p> <p><i>The bulk and scale of buildings must be minimised.</i></p> <p><i>Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.</i></p> <p><i>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.</i></p> <p><i>Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.</i></p> <p><i>General service facilities must be located underground.</i></p> <p><i>Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.</i></p>	<p>noting the significant amount of carparking structures built to boundary forward of the front building line throughout Riverview Road as examined in the visual analysis provided in this report. With a lack of alternative options that ensure safe and efficient vehicular manoeuvrability is maintained whilst providing adequate on-site parking provisions, the proposal is acceptable on merit and can be supported by Council as submitted.</p> <p>The alterations and additions will not adversely impact the character as viewed from a public place and the proposal complies with control D1.1 on merit.</p>	
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<p>D1.4 Scenic protection - General</p> <p><u>Controls</u> <i>Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.</i></p>	<p>No appreciable view corridors or other visual impacts on the natural environment will be affected by the proposed works. The proposal will not impact the scenic qualities of the area.</p>	<p>Yes</p>
<p>D1.5 Building colours and materials</p> <p><u>Controls</u> <i>External colours and materials shall be dark and earthy tones as shown below:</i></p>  <p><i>White, light coloured, red or orange roofs and walls are not permitted:</i></p>  <p><i>Finishes are to be of a low reflectivity.</i></p> <p><u>Variations</u> <i>Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.</i></p> <p><i>External materials and finishes shall be or shall appear to be natural, with subdued natural and dark coastal colours. Brighter colour accents shall be permitted. The dominant use of smooth shiny surfaces such as glass, metallics and plastics shall be avoided.</i></p> <p><i>Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.</i></p>	<p>The proposed finishes to the carport structure includes lighter wall colours and materials. The proposed lighter natural finishes will have no adverse visual impacts on adjoining neighbours or on the Avalon Beach locality and the finish will be of a low reflectivity, therefore the materials and finishes plan prepared by Action Plans Pty Ltd is acceptable on merit.</p>	<p>Yes</p>

<p>D1.8 Front building line</p> <p><u>Controls</u> <i>The minimum front building line shall be in accordance with the following table:</i></p> <ul style="list-style-type: none"> • <i>Land adjoining Barrenjoey Rd – 10 or established building line, whichever is the greater</i> • <i>Land zoned R2 Low Density Residential on the southern side of Avalon Parade between Ruskin Rowe and Bellevue Avenue (being numbers 61 to 93 inclusive) – 18</i> • <i>Land zoned R2 Low Density Residential along Avalon Pde, on the southern side between Gunjulla Place and Ruskin Rowe (being No's 97 to 121 inclusive), and on the northern side (being no's 50 to 112 inclusive) – 10</i> • <i>All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living – 6.5, or established building line, whichever is the greater</i> • <i>Land zoned B1 Neighbourhood Centre or B2 Local Centre – 3.5</i> • <i>All other land – Merit assessment</i> <p><i>Built structures (including swimming pools), other than driveways, fences and retaining walls are not permitted within the front building setback.</i></p> <p><i>Where new streets or access ways are proposed in residential flat building and multi dwelling housing development, a minimum front setback of 3m must be provided between the carriageway and dwellings.</i></p> <p><u>Variations</u> <i>Other than Avalon Parade (No's 61 to 121 and 50 to 112 inclusive)</i></p> <p><i>Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.</i></p>	<p>The proposed carport structure has been designed forward of the front building line, influencing the front setback to a minimum of 1.95m to 5.95m. The proposed setback is acceptable noting the prevailing building line consistent throughout the western side of Riverview Road with carparking structures built to boundary with reduced and in some circumstances nil setbacks. A variation of this nature can be supported due to the topographical constraints of the site. The proposal complies with control D1.8 on merit and can be supported by Council as submitted.</p>	<p>Yes, on Merit</p>
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<p><i>Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:</i> <i>considering established building lines;</i> <i>degree of cut and fill;</i> <i>retention of trees and vegetation;</i> <i>where it is difficult to achieve acceptable levels for building;</i> <i>for narrow or irregular shaped blocks;</i> <i>where the topographic features of the site need to be preserved;</i> <i>where the depth of a property is less than 20 metres.</i></p> <p><i>On steeply sloping or constrained sites, reduced or nil setbacks for carparking structures and spaces may be considered, however all other structures on the site must satisfy or exceed the minimum building line applicable.</i></p> <p><i>On-site wastewater treatment systems and rainwater tanks are permitted within the front building line provided that they do not exceed 1m in height above ground level (existing).</i></p>		
<p>D1.9 Side and rear building line</p> <p><u>Controls</u> <i>The minimum side and rear building line for built structures including pools and parking structures other than driveways, fences and retaining walls, shall be in accordance with the following table:</i></p> <p><i>Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living –</i> <i>2.5 at least to one side; 1.0 for other side</i> <i>6.5 rear (other than where the foreshore building line applies)</i></p> <p><u>Variations</u> <i>Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the</i></p>	<p>All new structures have been appropriately sited in accordance with the side setback requirements established in control D1.9. No changes proposed influencing the rear building line.</p>	<p>Yes</p>

outcomes of this clause are achieved.

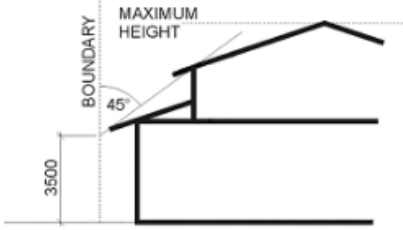
Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.

Side and rear setbacks may be varied for residential flat buildings and multi dwelling housing under the following circumstances provided Council is satisfied that the adjoining properties will not be adversely affected and that the outcomes of this clause are achieved:

- Where it can be demonstrated that the objectives of the controls can be achieved without strict adherence to the standards.*
- Where the site constraints make strict adherence to the setback impractical and the applicant can demonstrate that development complies with the objectives of this DCP.*
- Where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.*
- Unroofed balconies, verandahs, covered entranceways, porches and light or open structures (including carports).*
- Minor encroachments into setback areas are permissible, including roof eaves, sunhoods, gutters, downpipes, chimneys, light fittings, electricity and gas meters, TV aerials and satellite dishes*

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and*
- Council is satisfied that the adjoining properties will not be adversely affected, and*

<ul style="list-style-type: none"> the pool or spa is not more than 1 metre above ground level (existing), and that the outcomes of this clause are achieved without strict adherence to the standards, and where the site constraints make strict adherence to the setback impractical, and where strict compliance with these requirements will adversely impact on the views of adjoining residential properties. 		
<p>D1.11 Building envelope</p> <p><u>Controls</u> Buildings are to be sited within the following envelope:</p>  <p>STREET FRONTAGE</p> <p><u>Development other than residential flat buildings and multi dwelling housing:</u></p> <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><u>Variations</u> Where the building footprint is situated on a slope over 16.7 degrees (ie 30%), variation to this control will be considered on a merits basis.</p> <p>Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the</p>	<p>The proposed height, bulk and scale of the carport structure has been designed well within the prescribed building envelope to achieve full compliance with control D1.11 Building Envelope. The proposal will not impact the level of privacy, amenity and solar access of neighbouring properties.</p>	<p>Yes</p>

<p><i>minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.</i></p> <p><i>Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.</i></p> <p><i>Council may consider a variation for the addition of a second storey where the existing dwelling is retained.</i></p>		
<p><u>D1.14 Landscaped Area - Environmentally Sensitive Land</u></p> <p><u>Controls</u></p> <p><i>The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.</i></p> <p><i>The use of porous materials and finishes is encouraged where appropriate.</i></p> <p><i>Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.</i></p> <p><u>Variations</u></p> <p><i>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</i></p> <ol style="list-style-type: none"> <i>1. impervious areas less than 1 metre in width (e.g. pathways and the like);</i> <i>2. for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).</i> 	<p>The subject site is identified as 'Area 1' within the Pittwater Landscaped Area Map. The total proposed landscape area on the site will remain compliant with 1,002.34sqm or 81.66% of the allotment occupied as landscaped area. Refer to the Area Calculations Plan prepared by Action Plans Pty Ltd. The proposal complies with the numerical requirements of control D1.14 and can be supported by Council as submitted.</p>	<p>Yes</p>

<p>D1.15 Fences - General</p> <p><u>Controls</u></p> <p><i>a. Front fences and side fences (within the front building setback)</i></p> <p><i>Front and side fences (within the front building setback) shall:</i></p> <ul style="list-style-type: none"> <i>not exceed a maximum height of 1 metre above existing ground level,</i> <i>shall be compatible with the streetscape character, and</i> <i>not obstruct views available from the road.</i> <p><i>Front fences and landscaping should allow people in their homes to view street activity. Fences are to be constructed of open, see-through, dark-coloured materials.</i></p> <p><i>Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</i></p> <p><i>Original stone fences or stone fence posts shall be conserved.</i></p> <p><u>Variations</u></p> <p><i>Within the front building setback, provided the outcomes of this clause are achieved, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, the lot is a corner lot or has more than one frontage or the site is located on a main road with high traffic noise. In such instances, front fencing shall:</i></p> <ol style="list-style-type: none"> <i>be setback a minimum of one metre for any fence higher than one metre (in the case of corner lots or lots with more than one frontage this setback may be varied based on merits); and</i> 	<p>No new fencing proposed for this development. Proposed elements built to the front boundary will not exceed 1m above NGL and will not obstruct views available from the public road.</p>	<p>Complies</p>
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<ol style="list-style-type: none"> 2. <i>be articulated to provide visual interest and further opportunities for landscaping, and</i> 3. <i>be screened by landscaping within the setback area; and</i> 4. <i>not restrict casual visual surveillance of the street, and</i> 5. <i>provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and</i> 6. <i>50% or more of the fence is transparent.</i> <p><i>See also controls relating to gated access points in Part B: Access Driveways and Offstreet Parking</i></p> <p><i>Provided the outcomes of this control are achieved, where fencing exceeds more than 1 metre in height and abuts a public road, a boundary setback less than the height of the fence may be considered based on merits.</i></p>		
<p><u>D1.17 Construction, Retaining walls, terracing and undercroft areas</u></p> <p><u>Controls</u> <i>Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.</i></p> <p><i>Retaining walls and terracing shall be kept to a minimum. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.</i></p> <p><i>In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing. Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.</i></p>	<p>The proposal includes pier and beam construction techniques to support the suspended slab and carport structure. No terracing or undercroft areas proposed with this application. The proposal complies with control D1.17 and can be supported by Council as submitted.</p>	<p>Yes</p>

It is important for Council to acknowledge the existing sites constraints regarding parking facilities and unsafe access arrangements. The curved/bend road in front of property with double lines (meaning no on-street parking spaces), topography of the road, including general cars speeding by make it difficult visually when reversing out from property also noting the narrow road reserve strip which reduces design options.

Based on the above, the safest and cleanest way to allow a safe and efficient parking area and driveway is to include a turning bay which enables cars to enter and leave in a forward direction. Further, the design of the area has been softened through proposed building materials and a “turfed” concrete turning bay. Refer to 3D perspective below:



On the basis of the above and noting the strong emphasis of carports and garages to boundary or forward of the building line, the proposal succeeds on merit in providing a safe and functional parking area for the occupants of the site.

5. Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning & Assessment Act 1979

The following matters are to be taken into consideration when assessing an application pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(a) The provisions of:

(i) The provision of any Environmental Planning Instrument

Comment: The proposal is permissible and consistent with the intent of the Pittwater Local Environmental Plan and Development Control Plan as they are reasonably applied to the proposed works given the constraints imposed by the sites location, topography and environmental constraints.

(ii) 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

Comment: Not applicable.

(iii) Any development control plan

Comment: The proposal has been reviewed and assessed under Pittwater Development Control Plan 21.

(iia) 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

Comment: Not applicable.

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

Comment: Not applicable.

(v) (repealed)

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

Context and Setting:

i. What is the relationship to the region and local context in terms of:

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

Comment: The proposed alterations and additions are consistent with recent approvals granted in the Avalon Beach locality and consistent with neighbouring developments with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. What are the potential impacts on adjacent properties in terms of:

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

Comment: These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*

Comment: The proposal includes provisions for two (2) on-site car spaces and a new driveway and crossover to Riverview Road. The proposal will not generate any traffic or adversely impact the local road network.

Public Domain

Comment: The proposed development will have no adverse impact on the public domain.

Utilities

Comment: Existing utility services will connect to service the dwelling.

Flora and Fauna

Comment: The proposal does not have an adverse impact to flora or fauna. The proposal includes the removal of ten (10) trees within the front setback to facilitate the construction of the carport structure. The proposal is supported by an Arboricultural Impact Assessment prepared by Hugh the Arborist. As the site is also identified within the biodiversity values map the proposal is also supported by a BDAR report prepared by Land Eco Consulting Pty Ltd.

Waste Collection

Comment: Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

Comment: The site is identified as hazard H1 within the Geotechnical Hazard Map, the proposal is supported by a Geotechnical Assessment Report prepared by Crozier Geotechnical Consultants.

Economic Impact in the locality

Comment: The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

i) Is the development design sensitive to environmental considerations and site attributes including:

- *size, shape and design of allotments*
- *The proportion of site covered by buildings*
- *the position of buildings*
- *the size (bulk, height, mass), form, appearance and design of buildings*
- *the amount, location, design, use and management of private and communal open space*
- *Landscaping*

Comment: These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

ii) How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation*
- *building fire risk – prevention and suppression*
- *building materials and finishes*
- *a common wall structure and design*
- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

Comment: The proposed development can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

i) What would be the impacts of construction activities in terms of:

- *The environmental planning issues listed above*
- *Site safety*

Comment: The proposal will employ normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*

- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

Comment: The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause unmanageable levels of transport demand with the existing use of a dwelling house to be retained.

(d) Any submissions received in accordance with this act or regulations

Comment: No submissions are available at this time.

(e) The public interest

Comment: The proposed works are permissible and consistent with the intent of PLEP2014 and PDCP21 controls as they are reasonably applied to the proposed alterations and additions of the existing dwelling house. The development would not be contrary to the public interest.

In our opinion, the development satisfies the planning regime applicable to development on this particular site having regards to the considerations arising from its context.

The proposal is acceptable when assessed against the heads of consideration pursuant to Section 4.15 of the *Environmental Planning and Assessment Act, 1979* (as amended), and is appropriate for the granting of consent and accordingly, is in the public interest.

6. Summary and Conclusion

The proposal for alterations and additions to an existing dwelling house and associated works at 81 Riverview Road, Avalon Beach, being Lot 22 within Deposited Plan 18005, is permissible and consistent with the intent of the built form controls as they are reasonably applied to the proposed works. It is considered that the proposal is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The merits of the application have been assessed in accordance with the provisions of the relevant requirements of PLEP 2014 and the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). There is no evidence that the impacts of the development would warrant amendment to the subject proposal or justify refusal. Where a variation is proposed, adequate documentation has been provided to support the application.
- The nature of the development is appropriate having regard to the area of the site, its geographical location, topography, constraints and adjoining land uses.

Accordingly, the proposal for alterations and additions to an existing dwelling house and associated works at 81 Riverview Road, Avalon Beach, is acceptable from environmental, social, and planning perspectives and approval should therefore be granted by Council.