



STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE DEMOLITION OF THE EXISTING DWELLING AND THE ERECTION OF A NEW ATTACHED
DUAL OCCUPANCY AND LANDSCAPING WORKS TO COMPLEMENT THE NEW DEVELOPMENT
AND EXISTING SURROUNDING ENVIRONMENT.**

AT 1851 PITTWATER ROAD, BAYVIEW



**Prepared for
Marjorie Gamble**

**Job No. 21242
NOV 2021**

Urban and Regional Planning, Environmental Planning and Statutory Planning
PO Box 251 Artarmon NSW 1570
Telephone: (02) 9416 9111 Email: admin@inghamplanning.com.au
A.C.N 106 713 768
www.inghamplanning.com.au

Contents

1.	INTRODUCTION	3
2.	THE SITE	5
3.	SURROUNDING ENVIRONMENT	7
4.	THE PROPOSAL	12
4.1	Design Philosophy	12
4.2	Summary of the proposal.....	12
5.	ZONING AND DEVELOPMENT CONTROLS	15
5.1	Zoning	15
5.2	Development Controls	16
6.	EVALUATION UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) ACT, 1979	17
6.1	Environmental planning instruments	17
6.2	Draft environmental planning instruments.....	18
6.3	Development control plans.....	19
6.4	Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F 19	
6.5	Any matter prescribed by the regulations that apply to the land to which the development relates	20
6.6	The likely impacts of that development	20
6.7	The suitability of the site for the development.....	21
6.8	Submission made in accordance with this Act or the regulations	21
6.9	The public interest	21
7.	CONCLUSION	22

APPENDIX A – DCP TABLE

Cover Page: Source Sixmaps 2021

1. INTRODUCTION

This is a Statement of Environmental Effects (SEE) relating to a development application (DA) for the demolition of an existing dwelling and the erection of a new attached dual occupancy.

The site address is 1851 Pittwater Road however there is a bushland Reserve between the subject site and Pittwater Road and therefore the site has no direct frontage to Pittwater Road. There is no vehicle access from Pittwater Road and pedestrian access is afforded by a public pathway which runs beside the northern side of the site. Access to the site will continue to be from the existing cross over and driveway from the cul de sac of Vista Avenue.

The existing dwelling is to be demolished. The footprint of the new building is essentially on the same footprint as the existing dwelling to minimise disturbance of the site.

The architectural design of the attached dual occupancy has considered the site's opportunities and constraints. The new building has been kept as low as possible in the skyline and will nestle into the topography of the sites and its surroundings. The building is lower than the tree canopies which are located on and around the site. The bushland Reserve will continue to provide a dense landscape buffer between the eastern side of the site and Pittwater Road. The building is built across the width of the site but has adequate setbacks to both side boundaries and is well separated and screened to and from its nearest neighbours. The first floor is stepped back from the eastern façade of the ground floor. The stepped back first floor and the proposed material palette ensures the integration of the built form into the surrounding topography.

Although the site contains several large trees, the site planning has ensured that only one indigenous tree (a grey gum) will require removal (the remainder of the trees to be removed (3 in addition to the gum) are exotic). The remainder of the large indigenous trees on the site will remain and will continue to be an integral part of the character of the neighbourhood. Due to the location of the site and its boundary with a Reserve, the eastern side of the site will continue to be read as part of the large bushland corridor which runs along the western side of Pittwater Road in this location. The proposal is supported by an arborist report and a landscape plan.

The desired character of the locality will be met by this proposal because the natural setting of this site will be enhanced by a well considered and architecturally resolved building which will sit comfortably on the site. The surrounding existing landscaping will be supplemented by new landscaped area and will soften the built form. The proposed planting palette has a dominance of native planting and the inclusion of Indigenous species to the Northern Beaches Council.

This site is not a conventional site as envisaged by many of the DCP controls as it is accessed by a driveway off Vista Avenue in a battle axe shape. It has a Pittwater Road address yet has no direct access to Pittwater Road. It is difficult to see from any vantage points

including Pittwater Road given its location. The proposed development has however achieved compliance with the key development controls which apply to dual occupancy development and the design brief has been to ensure that the new building is as low key as possible so that it appears as a single dwelling while providing the opportunity for two family groups to live independently on the one large site.

The SEE contains the following sections:

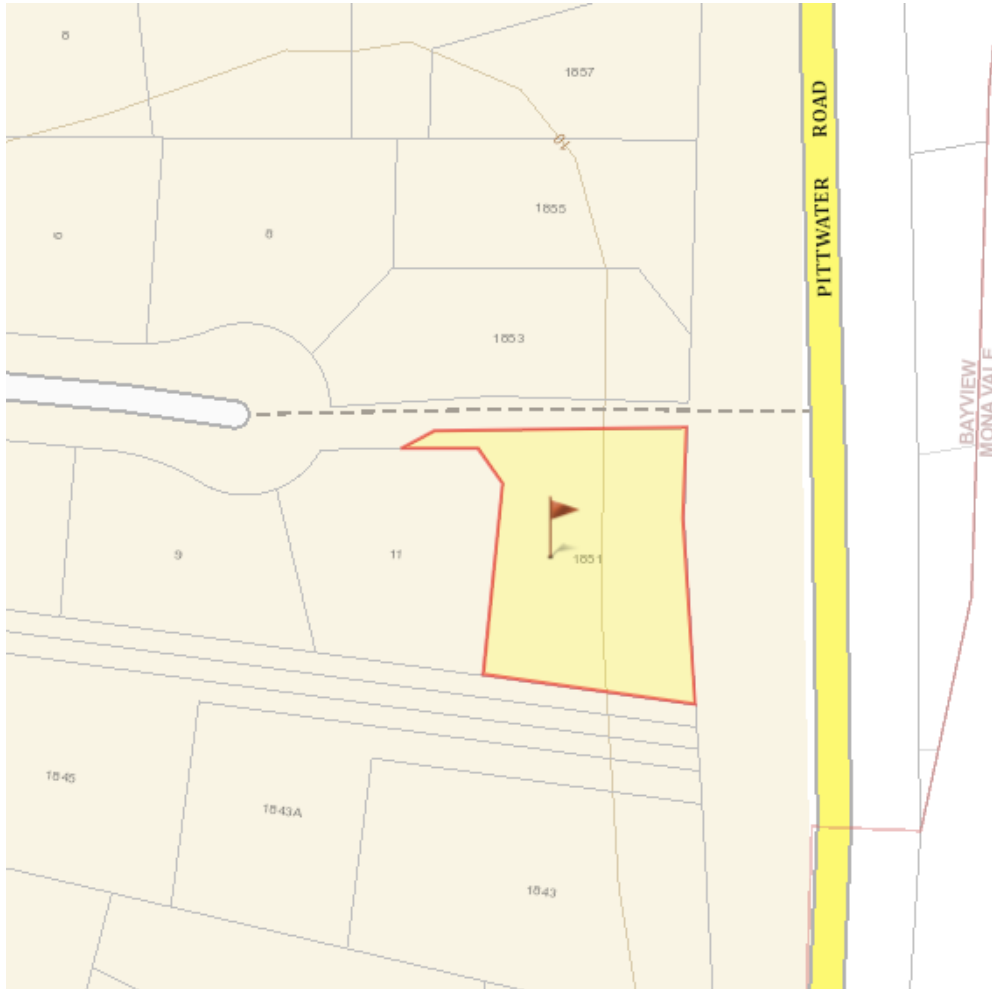
- **Section 2** examines the characteristics of the subject property;
- **Section 3** details the nature of the surrounding locality;
- **Section 4** provides a detailed description of the proposal;
- **Section 5** discusses the zoning and development controls relating to the land; and
- **Section 6** provides an assessment of the proposal in relation to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979.

This SEE has been prepared with referenced to the following information:

- Architectural plans prepared by Emiat Pty Ltd
- A landscape design package prepared by Caldesign.
- An arborist report prepared by The Ents Tree Consultancy.

2. THE SITE

The site is known as 1851 Pittwater Road, Bayview 2104 and is legally described as Lot 1 DP 879468 (see **Figure 1 – Location** and **Figure 2 – Aerial View of Site**).



Source – Six Maps

Figure 1 - Location

The subject site consists of one (1) allotment located on the western side of Pittwater Road. It is irregular in shape with a frontage of 39.19m along its eastern boundary (Pittwater Road side), 35.965m on its northern boundary, 29.945m on its southern boundary, 27.42m along its western boundary (plus additional area for access point) and a total surveyed area of 1043m². The site falls from Vista Avenue towards Pittwater Road as detailed on the submitted plans and survey plan. A public pathway is located on the northern side of the site (identified by the dotted line on the map above in Figure 1).

The site is located within the R2 Low Density Residential zone and is currently developed with a single detached dwelling. Vehicle access onto the site is provided via an existing

driveway from the cul de sac of Vista Avenue and this will continue to be used to provide vehicular access.

The site and the proposed development is well separated from its nearest neighbours. As can be seen on Figure 2 below, the property to the north is separated from the subject site by the public pathway which runs down the northern boundary. On the southern side, the site is well separated from its southern neighbour by a wide landscaped private access road leading to three further properties, located to the west. There are no neighbours to the east. To the west, the dwelling located at No.11 Vista Avenue has a generous setback to its eastern boundary (common boundary with the subject site) and is at a higher level.

Existing native vegetation and exotic species of trees and shrubs are located on the site and surrounds. A separate arborist report forms part of the application.

Photos of the site and surrounding environment are provided below.



Source – Sixmaps

Figure 2 – Aerial photo of site

3. SURROUNDING ENVIRONMENT

As shown on the aerial view at **Figure 2** above, the site is typical of the locality where there is a combination of both original and more contemporary detached dwellings of 1 to 3 storeys in height with associated outbuildings and structures including inground pools set in large, landscaped gardens. Sites to the west tend to have more formalised gardens while sites along Pittwater Road tend to have larger areas of informal bushland gardens.

As shown in **Figure 3** below, the site is in Bayview within the Church Point/Bayview locality and is close to the waterway and foreshore area of Bayview.



Source – Six Maps

Figure 3- Location



Photo1



Photo 2

Photos 1 and 2 above and photo 3 below show the site from different locations on Pittwater Road



Photo 3 The site from Pittwater Road



Photo 4 – The cross over from Vista Avenue into the site (the white car is on the site's existing driveway. This access is to be retained.)



Photo 5 Looking from the pathway into the site



Photo 6 Site is to the right of the pathway to Pittwater Road
(Road seen at the bottom of the photo)



Photo 7 Looking into the site from the southern boundary
Source: All photos Ingham Planning

4. THE PROPOSAL

4.1 Design Philosophy

The proposed design has come about after taking into consideration the following constraints and opportunities of the subject site:

- The desire of the clients to utilise the existing footprint of the dwelling for the new dwellings to minimise site disturbance.
- To provide for an attached dual occupancy which will provide a home for two small families to enjoy during retirement. The design has considered the needs and desires of the clients in terms of internal arrangement of spaces, the creation of areas of both passive and active open spaces to complement the internal spaces of the dwellings and to afford an appreciation of the natural environment.
- To allow for the retention of mature canopy trees.
- The desire to remove the large non indigenous fiddle leaf tree to gain better access to natural light from the north for year round comfort.
- The necessity to consider the environmental impact of any disturbance of the natural environment including local flora and fauna.
- The use of building techniques to allow for the retention of natural levels and trees.
- To recognise that existing screen planting along boundaries should be maintained and supplemented to retain and enhance both aural and visual privacy between the subject site and its neighbours.
- The desire to retain the existing character of the site by avoiding formalised boundary fences where they are not required

4.2 Summary of the proposal

The proposal involves the demolition of the existing dwelling and the erection of an attached dual occupancy and landscaping of the site which includes the following:

Two dwellings which are substantially attached by garages at the ground floor and storey above.

Dwelling 1 is located on the northern side of the building. It has living areas located on the ground floor with ample access to northern sunlight into the living room. The other living areas within the dwelling have an easterly orientation over the front of the site and bushland Reserve, Pittwater Road and Kooroowall and Roland Reserves towards Bayview. Bedrooms 2 and 3 and a bathroom are located on the upper level, one bedroom has a balcony looking east.

Dwelling 2 is located on the southern side of the building. It has been designed to allow northerly sunlight to access the ground floor dining area window and rear patio (with pergola over to soften the western sun in the afternoons. The front balcony which is

immediately adjacent to the living room will also benefit from northern exposure. Two bedrooms and a bathroom are located on the upper level. One bedroom has a balcony looking east.

Dwelling 1

GFA upper level (not including stair void) 45.435 sq m

GFA ground floor level (not including garage) 90,920 sq m

Upper level over lower level 49.97%

Private Open Space 107.6sqm Principal Private Space 31.6sqm

Dwelling 2

GFA upper level (not including stair void) 50.78 sq m

GFA ground floor level (not including garage) 103.13 sq m

Upper level over lower level 49.23 %

Private Open Space 117.2sqm Principal Private Space 41.2sqm

TOTAL GFA 290.265 SQ M

FSR 0.278 : 1.0

Maximum Building Height 7.3m

The proposed dual occupancy will have the appearance of a single dwelling when viewed from outside the site. The design is well modulated and articulated and the material palette utilises a variety of materials which contribute to a building which will have a rich texture and sit comfortably within its landscaped setting.

The following materials are proposed (full details are provided in the application)

Roof- Standing Seam Colorbond steel in 'Basalt'

Flat Roofs- EPND Membrane

Foundation Level Masonry Walls-Bagged and painted common bricks in 'pewter'

Foundation open area supports- Concrete columns with metal screen infills

Ground floor masonry walls-Austral 'Overland' face bricks

Framed walls- 150mm splayed profile timber weatherboards stained limed grey

Gutter, downpipes, fascia and bargeboards- colorbond 'Basalt'

Aluminium windows and doors- aluminium powdercoat 'shale grey'

Front doors and entry porch ceiling – Merbau Timber in natural finish.

The proposed landscaping works are described on the landscape plans which have been submitted as part of the DA. The landscaping complements the new building while also respecting the natural surrounding environment. Materials used within the landscaped areas include a variety of natural rock steppers (granite, bluestone, basalt), recycled brick pavers, sandstone rock beds, decomposed granite and vertical hardwood screening. Formalised areas such as paved patio areas and pathways are located near to the building.

In regards to plantings, apart from the trees as nominated on the plans and within the arborist report, all trees are retained and protected. The landscape plan provides full details of all proposed plantings.

The open space plan provides all calculations of hard and soft areas. A total of 60% of the site area is landscaped. Areas of private open space for each dwelling are also detailed.



Figure 7 Extract of Landscape Plan and Planting Plan



Figure 8 Extract of Landscape and Open Space Diagrams Plan

5. ZONING AND DEVELOPMENT CONTROLS

5.1 Zoning

Pursuant to the provisions of Pittwater Local Environmental Plan 2014 ('PLEP2014') the subject site is zoned R2 Low Density Residential (see **Figure 9** . An attached dual occupancy is permitted with consent in the zone (see definitions below). The proposed landscaping of the site is ancillary to the use of the site as a dual occupancy.

dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).

dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Zone R2 Low Density Residential

Objectives of zone

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

Permitted without consent

Home businesses; Home occupations

Permitted with consent

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

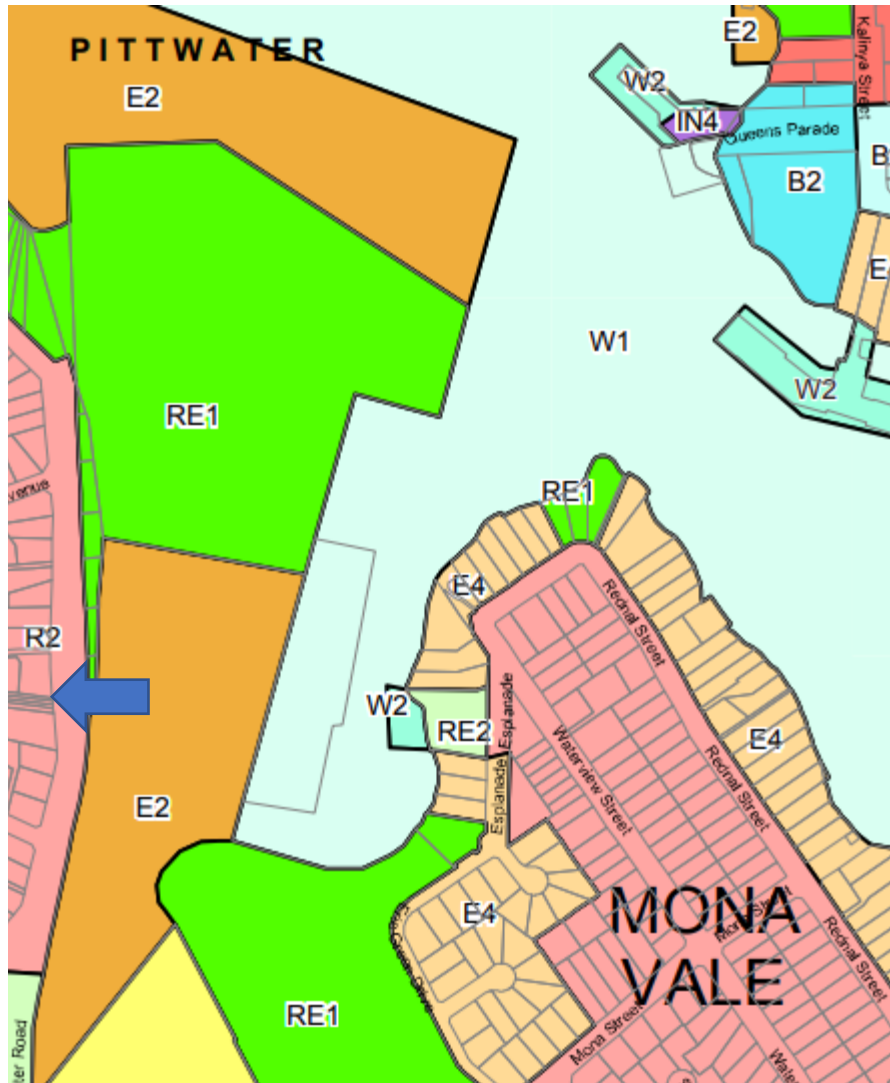
Prohibited

Any development not specified in item 2 or 3

The proposed dual occupancy meets the applicable objective of the zone because:

It provides for the housing needs of the community within a low density residential environment. In this regard, the proposal meets all of the statutory planning standards for the development of the site as a dual occupancy. It also meets the main non statutory guidelines contained in the DCP. The desired character of the Church Point/Bayview planning area has also been taken into account in the design process. The aim of the proposal is to develop the site with an environmentally sensitive development which for

all intent and purposes appears as a single dwelling but accommodates two family groups to live independently of each other. As such, this proposal also supports one of the stated aims of the Plan which is to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future.



Source – NSW Legislation

Figure 9 – extract from zoning map of PLEP2014 (site marked with arrow)

5.2 Development Controls

The following planning documents are relevant to the assessment of the subject DA:

- State Environmental Planning Policy No. 55 – Remediation of Land SEPP 55
- State Environmental Planning Policy (BASIX) 2004;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- SEPP Infrastructure (2007)
- Pittwater Local Environmental Plan 2014;
- Pittwater 21 Development Control Plan.

6. EVALUATION UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) ACT, 1979

6.1 Environmental planning instruments

6.1.1 State Environmental Planning Policy No. 55 – Remediation of Land SEPP 55

Remediation of Land and in particular Clause 7(1)(a) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated. Given the history of residential use of the land, the site is suitable for the proposed works.

6.1.2 State Environmental Planning Policy (BASIX) 2004

A BASIX certificate is provided as part of the application.

6.1.3 SEPP Infrastructure (2007)

Council must consider clause 45 of the SEPP Infrastructure prior to determination and notify Ausgrid accordingly.

6.1.4 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The SEPP commenced on 25 August 2017 and replaced Clause 5.9 of Pittwater Local Environmental Plan 2014. The aims of the SEPP are detailed in Clause 3 and note: The aims of this Policy are: (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. In this instance, the proposal will not see any loss of substantial vegetation and is therefore considered to be consistent with the aims of the SEPP. An arborist's report forms part of the application (submitted under separate cover) which supports the removal of some trees and vegetation from the site. Only one tree is indigenous while the others are exotic. The removal of the large fiddle leaf tree is to gain access to the northern sunlight.

6.1.5 State Environmental Planning Policy (Coastal Management) 2018

The site is subject to State Environmental Planning Policy (Coastal Management) 2018 (SEPP Coastal Management). The site is located within the Coastal Use Area and Coastal Environment Area as identified by State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP) and the provisions of this policy are applicable in relation to the proposal. Following detailed assessment of the proposed development, the consent authority can be satisfied of the following:

- The proposal is not likely to cause an adverse impact upon the matters listed in clause 13(1) of the CM SEPP;
- The proposal has been designed, sited and will be managed to avoid adverse impacts on the matters listed in clause 13(1) of the CM SEPP;
- The proposal is not likely to cause an adverse impact upon the matters listed in clause 14(1) of the CM SEPP;
- The proposal has been designed, sited and will be managed to avoid adverse impacts on the matters listed in clause 14(1) of the CM SEPP;

- The proposal is not likely to cause increased risk of coastal hazards on the site or other land as listed in clause 15 of the CM SEPP

6.1.6 Coastal Management Act 2016

The subject site has been identified as being within the coastal zone and therefore Coastal Management Act 2016 is applicable to the proposed development. The proposed development is in line with the objects, as set out under Clause 3 of the Coastal Management Act 2016.

6.1.7 Pittwater Local Environmental Plan 2014

The proposed development is permissible in the R2 zone. The proposal complies with the aims of the PLEP2014 and the specific objectives of the R2 zone as detailed above. In addition to the zoning discussed above the following clauses of the LEP are relevant to this application.

Clause 4.3 Height of buildings - The proposal complies with the maximum height limit of 9 metres. Details are provided on the plans.

Clause 4.4 Floor space ratio- There is no applicable FSR control within the PLEP however a FSR of 0.3:1 applies to dual occupancy developments.

Clause 4.6 Exceptions to development standards -No variations are sought.

Clause 7.1 Acid Sulfate Soils – the site is identified as containing Class 5 acid sulfate soils. It is in the vicinity of Class 2 soils, located on the eastern side of Pittwater Road. As the new building will occupy the existing building platform, no major earthworks are proposed.

Clause 7.2 Earthworks – No major earthworks are required to facilitate the works.

Clause 7.6 Biodiversity Protection – The site is within an area identified on the maps as warranting Biodiversity Protection. The site retains all significant canopy trees and will contribute to the biodiversity of the site.

Clause 7.7 -Geotechnical Hazards – Only part of the lower section of the site is identified on the Geotechnical Hazard Map as Geotechnical Hazard H1. The new building works are proposed for the upper section of the site.

Clause 7.10 Essential services- The site is connected to all essential services.

6.2 **Draft environmental planning instruments**

No draft instruments are applicable to the proposal. Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). The subject site has been used for residential purposes for an extended period of time. The proposed development retains the residential use of the site and is not considered a contamination risk.

6.3 Development control plans

6.3.1 Pittwater 21 DCP

The relevant provisions of this DCP are considered in a table which is provided in Appendix A. The Built Form Control which relates to the proposal are:

Built Form Control	Requirement	Proposed	Complies
Front setback	10m	10m min	Yes
Rear setback	6.5m	6.5m min	Yes
Side setbacks North South	2.5m to at least one side, 1m to the other.	2.5m min 1m min	Yes
Building envelope	45 degree	Slight variation sought on the southern side	Yes, achieves objectives
Landscaped Area	60%	60% (631sqm)	Yes

As shown on the western elevation, there is a small encroachment into the building envelope. The minor deficiency is warranted in this case for the following reasons:

- The building is well below the overall statutory height limit and is well below the tree line.
- The minor deficiency has no impact upon overshadowing of any outdoor area or north facing windows.
- There is no loss of amenity as a result of the minor departure
- Splaying the corner to ensure numerical compliance would not achieve a better outcome
- The proposed variation is located on the southern side of the site adjacent to the driveway that accesses three other properties and is well removed from the nearest neighbour.
- The site is generally is well concealed from afar.
- The bulk and scale of the development is minimised by careful planning and design and the minor encroachment has no impact upon its presentation to the public domain.

Also refer to discussion within **Appendix A**.

Northern Beaches Section 7.12 Contributions Plan 2019

As the cost of the development is greater than the threshold of \$100,001, the proposal is subject to a contribution.

6.4 Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

There are no planning agreements or draft planning agreements that are of relevance to the proposal.

6.5 Any matter prescribed by the regulations that apply to the land to which the development relates

There are no regulations of specific relevance to the proposal.

6.6 The likely impacts of that development

The potential impacts of the proposal have been generally addressed in **Section 6.1** and **Section 6.3** of this report.

Tree Removal

As stated within this report, the retention of major canopy trees was an integral part of the design process and an arborist was engaged prior to the development of the building. A report prepared by The Ents Tree Consultancy forms part of the DA. The recommendations made by the arborist include inspections on a monthly basis by a level 5 arborist and the client is agreeable to a condition to this effect.

Privacy

The private open space areas and living rooms of the proposed dwellings are well separated from the nearest neighbours.

Overshadowing

The proposal does not result in any adverse loss of sunlight from any living area or area of private open space of a neighbouring property. The site itself will have improved access to northern sunlight by the removal of an exotic tree on the northern boundary. The dwellings have been designed to maximise access to northern sunlight where possible.

Views

We have inspected the site on foot with the architect and had a close look at the surrounding properties from outside the boundaries and from within the subject site. We have concluded that no views are obstructed as a result of this proposal. The building height has been minimised and hugs the site as closely as possible. The first floor has been minimised in accordance with the controls for dual occupancy development. Further, there is ample spatial separation between the subject site and its closest neighbour and it appears that no specific views are gained over the subject site, even from the second storey of surrounding dwellings. The design and the material palette which has been chosen to redevelop the subject site ensures that the new building will nestle into the site and contribute to the character of the area rather than being a building which will stand out in the general outlook from other properties and from the public domain.

Bushfire

The site is not identified as bushfire prone land.

Threatened Species, Populations or Ecological Communities

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

Crime Prevention Through Environmental Design

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

6.7 The suitability of the site for the development

The site will continue to be used for low density residential accommodation and therefore the site is considered suitable for the development.

6.8 Submission made in accordance with this Act or the regulations

This is a matter for Council to consider and any submission will be reviewed by the applicant however the proposal has been designed to minimise impacts on surrounding development.

6.9 The public interest

The proposal is considered to be in the public interest as it complies with the main provisions and objectives of the LEP and DCP and will maintain, enhance and improve the visual quality of the locality through a design which is sensitive to the site and its surrounds. The environmental impact of the proposal has been assessed and it has been concluded that there is no significant impact upon the surrounding lands or the amenity which is currently enjoyed by the nearest neighbours.

7. CONCLUSION

The proposal proposes the demolition of the existing dwelling and the erection of a new building which will accommodate an attached dual occupancy for two families. Landscaping works are proposed to complement the built form. The proposal is well conceived and has been developed to maximise the opportunities of the site while respecting its constraints. The proposed development has a floorspace ratio of less than 0.3:1 and a maximum height well under the statutory height limit which will result in the landscape dominating the built form.

The proposed development is consistent with the desired character of this locality, will encourage a housing type which will provide diversity and choice within the low density zone and complement and protect the natural environment.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

Consistent with the objectives of the relevant EPIs

Consistent with the objects of the Environmental Planning and Assessment Act 1979

Consistent with the zone objectives of the LEP

Consistent with the aims of the LEP

Consistent with the objectives of the DCP

We believe the development provides a quality planning outcome for the site and seek Council's support for the proposal.

A	DCP TABLE
----------	------------------

APPENDIX A The relevant provisions of the Pittwater DCP are considered in the following table.

Guideline	Desired Outcome	Compliance / Consistency with Aims and Objectives
A. Shaping Direction in Pittwater		
A4.4 Church Point and Bayview Locality		
Desired Character	<p><i>The Church Point and Bayview locality will remain a low-density residential area with dwelling houses a maximum of two storeys in any one place in a natural 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 occupancy dwellings will be located on lowlands in the locality on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Retail, community and recreational facilities will serve the community. Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. The locality is characterised by steeply sloping blocks so the provision of facilities such as inclinators, driveways and carparking need to be sensitively designed. The shared use of vehicular/pedestrian access, and the use of rooftops as parking areas can be solutions that minimise the physical and</i></p>	<p>The proposed development has been designed to adhere to the main planning controls for the site including FSR and height.</p> <p>The proposed building has been sensitively designed to sit comfortably on the site and to complement its surroundings.</p> <p>Existing significant vegetation, including indigenous canopy trees, are retained almost entirely, ensuring that the bulk and scale of the built form is minimised and reduced over time by additional plantings. Further, the building will sit under the existing tree canopy and not compete with it as is evident when the site is considered from Pittwater Road.</p> <p>The building is well modulated and incorporates balconies, sun shade structures and the like. The first floor has been designed to sit back from the ground floor primary façade, allowing the first floor to be more recessive in the view of the dwelling from the main frontage of Pittwater Road. However, given the location of this site high on the slope above the footpath of Pittwater Road, it would only be pedestrians on the eastern side of the road which would see the building as it is not highly visible from the road as the angle of view in a car makes the site difficult to see.</p> <p>Colours and materials will harmonise with the natural environment.</p>

	<p><i>visual impact on the escarpment or foreshore. Future development will maintain a building height limit below the tree canopy, and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Views from the buildings shall be maintained below the tree canopy level capturing spectacular views up the Pittwater waterway. 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. The locality is visually prominent particularly from Scotland Island, Bilgola Plateau, and the Pittwater waterway. Therefore, a balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors. Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved. Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads</i></p>	<p>The proposal is consistent with the established character of the site and desired character of the immediate locality.</p> <p>The proposed landscaping of the site seeks to improve the existing landscaped setting of the building which will be anchored by the established canopy trees on the site.</p> <p>The design has also considered the integration of the new building and associated works within the landscaped setting with the existing landform and landscape values of the site. The existing platform that the existing dwelling sits upon will be the base for the new building this limiting any unnecessary site disturbance.</p> <p>The proposal provides a suitable balance between the built and natural environments.</p> <p>Anchored by the established canopy, once the garden becomes further established, it will contribute to the softening of the building within its landscaped setting to a greater degree than the present arrangement.</p> <p>The proposal also provides a social and economic benefit to the community by enabling the owners to remain in their own homes while they age and the dwellings have specifically been designed for this purpose. The benefits of being surrounded by the natural environment and being able to access that environment has positive mental health benefits which should be supported.</p>
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<i>will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities. Pedestrian/cycle access around the foreshore and to areas of open space will be upgraded and maintained. Church Point will remain an important link to the offshore communities.</i>	
B General Controls		
B1 Heritage Controls		
B2 Density Controls		
B3 Hazard Controls		
B3.1 Landslip Hazard	<p>The controls seek to achieve the outcomes:</p> <p>Protection of people. Protection of the natural environment. Protection of private and public infrastructure and assets.</p>	<p>Part of the site is located in a Geotechnical Hazard H1 zone. Building is generally confined to the west of the H1 area as shown on Council's mapping. The existing building platform is to be used for the new development of the land.</p>
B3.6 Contaminated Land	<p>The controls seek to achieve the outcomes:</p> <p>Protection of public health. Protection of the natural environment. Successful remediation of contaminated land.</p>	<p>Yes. The land is to continue to be used for residential purposes.</p>
B4 Controls relating to the Natural Environment		
B4.5 Landscape and Flora Category 3 Land	<p>The controls seek to achieve these outcomes:</p> <p>The long term viability and enhancement of locally native flora and fauna and their habitats.</p> <p>.....</p>	<p>With the exception of one tree, all indigenous canopy trees are retained and are supplemented by suitable plantings including trees, shrubs and ground covers. The one tree to be removed is unavoidable.</p> <p>There will not be a nett loss in native canopy trees on this site as the tree which will be lost will be replaced.</p>

	<p>Controls:</p> <p>Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and locally native species.</p> <p>Development shall provide flora and fauna habitat by active restoration, regeneration, and / or creation.</p> <p>Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.</p> <p>Landscaping is not to include environmental weeds.</p>	<p>The landscaping works around the site are low key and the future owners wish to appreciate the surroundings hence the informality and complementary nature of the landscape design.</p> <p>An arborist report and a landscape plan form part of the application. The proposal meets the minimum requirement of 60% landscaped area with most of the lower part of the left in its natural state. Some ground cover will be laid, trees will be retained and some exotics like Oleanders will be removed.</p> <p>Refer to the landscape plan.</p>
B4.22 Preservation of Trees and Bushland Vegetation	<p>The controls seek to achieve these outcomes:</p> <p>To protect and enhance the amenity that trees and/or bushland vegetation provide.</p> <p>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide</p> <p>To protect, enhance and account for the contribution trees and/or bushland vegetation provide to the ecological value and biodiversity of Pittwater, including habitat for locally native plant and animal species, threatened species populations and endangered ecological communities</p> <p>To promote the benefits that corridors of trees and/or bushland vegetation provide for the movement of flora and fauna (En, S).</p>	<p>Apart from the loss of one indigenous tree, the proposal will not result in any loss of significant vegetation on the site or adjoining site. An arborist's report forms part of the application. He has concluded that the proposal is satisfactory. While some trees are to be removed, the new design is anchored by the established canopy on the site.</p> <p>The large Fiddle leaf tree which is proposed to be removed is exotic and is not deciduous. This large tree prevents solar access onto the site from the north and should be removed and replaced with a more suitable species.</p>

B5 Water Management		
B5.15 Stormwater	<p>The controls seek to achieve these outcomes:</p> <p>Improve the quality of water discharged to our natural areas</p> <p>Minimise the risk to public health and safety;</p> <p>Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues</p>	A stormwater plan forms part of the application.
B6.1 Access driveways and works on the Public Road Reserve – Low Density Residential	<p>The controls seek to achieve these outcomes:</p> <p>Safe and convenient access.</p> <p>Adverse visual impact of driveways is reduced.</p> <p>Pedestrian safety.</p> <p>An effective road drainage system.</p> <p>Maximise the retention of trees and native vegetation in the road reserve.</p>	The proposal will utilise the existing driveway and crossing from Vista Avenue. The design enables cars to enter and leave in a forward direction and for existing plantings beside the driveway to be retained.
B6.2 Internal Driveways	<p>The controls seek to achieve the outcomes:</p> <p>Safe and convenient access.</p> <p>Reduce visual impact of driveways.</p> <p>Pedestrian safety.</p> <p>An effective road drainage system.</p> <p>Maximise the retention of trees and native vegetation.</p> <p>Reduce contaminate run-off from driveways.</p>	The existing driveway and cross over from Vista Avenue will be utilised. The driveway profile is provided in the application. The entry into the site from Vista Avenue onto the existing driveway and onto the site is relatively level area with no challenging topography.
B6.3 Off-street Vehicle Parking Requirements	<p>The controls seek to achieve the outcomes:</p> <p>Safe and convenient parking</p>	The proposal provides for three (3) formalised spaces. A variation is sought for the one deficient space. The variation is a minor technical variation as an additional vehicle can be stacked parked in front of the garage of dwelling No.2 without impeding the ability of cars from either dwelling being able to enter or leave the site in

	<p>The relevant control requires 2 spaces for each dwelling.</p>	<p>a forward direction. Therefore, while this stacked space is not a formalised space, it presents the opportunity for four cars to be safely parked on the site and to enter and leave the site in a forward direction to ensure safety</p> <p>Garage dimensions comply and are shown on the plans.</p>
B.8 Site Works Management		
B8.1 Construction and Demolition – Excavation and Landfill	<p>The controls seek to achieve these outcomes:</p> <p>Site disturbance is minimised.</p> <p>Excavation and construction not to have an adverse impact.</p> <p>Excavation operations not to cause damage on the development or adjoining property.</p>	<p>Site disturbance is minimised.</p>
B8.3 Construction and Demolition- Waste Management	<p>The controls seek to achieve these outcomes:</p> <p>Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</p>	<p>All material will be removed and recycled off site where possible or taken to an approved waste disposal facility.</p>
B8.4 Construction and Demolition- Site Fencing	<p>The controls seek to achieve these outcomes:</p> <p>Ensuring public safety.</p> <p>Protection of public domain.</p>	<p>All necessary measures will be put into place.</p>

C Development type Controls		
C1 Residential Development		
C1.1 Landscaping	<p>The controls seek to achieve these outcomes:</p> <p>A built form softened and complemented by landscaping.</p> <p>Landscaping reflects the scale and form of development.</p> <p>Retention of canopy trees by encouraging the use of pier and beam footings.</p> <p>Development results in retention of existing native vegetation.</p> <p>Landscaping results in the long-term retention of Pittwater's locally native tree canopy.</p> <p>Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species</p> <p>Landscaping enhances habitat and amenity value.</p> <p>Landscaping results in reduced risk of landslip.</p> <p>Landscaping results in low watering requirement.</p> <p>Controls:</p> <p>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species.</p>	<p>The proposed dwellings and ancillary structures, including the existing vehicle access driveway, will be softened by the proposed landscaping works including the retention of much of the existing landscaping. The entry into the site is softened by the existing Syzygium hedge that is to be retained.</p> <p>The proposed landscaping is an essential element of the visual presentation of the site as an attached dual occupancy, which will have the appearance of a single detached dwelling, set on a landscaped setting.</p> <p>The landscaping is of a domestic scale which is appropriate in the R2 zone adjacent to bushland area to the east.</p> <p>Apart from the removal of one gum in the centre of the site, no significant canopy trees will be removed to accommodate the new works. Any structures proposed as part of this scheme have taken into account the building methods which are associated with such structures such as minor excavation and footings.</p> <p>The current canopy of the mature vegetation will continue to soften the built form and this will be further supplemented by new plantings and sensitively placed landscaped pathways and structures around the site to contribute to the overall landscaped</p>

	<p>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.</p> <p>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.</p> <p>The site requirement is 60%.</p> <p>Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.</p>	<p>setting of the site and to provide for increased enjoyment and amenity of the natural environment.</p> <p>The proposal will contribute to the long term retention of the localities tree canopy and enhance the biodiversity qualities of the site and surrounds as well as contributing to local habitat and amenity.</p> <p>A detailed planting plan has been prepared for each area of the site. Canopy trees are retained, as are other plantings which contribute to the natural landscape coverage of the site. An arborist's report forms part of the DA. The site will be supplemented by new plantings which will further enhance the natural qualities of the site, provide habitat as well as amenity to the owners. The detailed planting schedule plan shows the different planting zones and areas of the site with a strong focus on 'bush' plantings.</p> <p>Due to the nature of the site being accessed via a driveway from Vista Avenue, it is different to that envisaged under these controls however the existing plantings along the driveway will be retained and the driveway is landscaped on both sides to soften the edge and to provide ample privacy and amenity between the subject property and the property to the west. The front setback of the building complies with the 10m setback control and hard space has been minimised while also providing for vehicle access onto the site.</p> <p>The proposal seeks the retention of all significant trees and will work with existing natural levels while also creating accessible pathways around the site and areas for informal and formal seating. The landscaped design incorporates new natural features such as large sandstone blocks to replace concrete walls which will provide functionality yet informality of the garden design. The use of</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		natural materials such as hardwood decking and natural stone contributes to the biodiversity of the site in the medium to long term and creates new areas of natural habitat.
C1.2 Safety and Security	<p>The controls seek to achieve the outcomes:</p> <p>On-going safety and security of the Pittwater community. Opportunities for vandalism are minimised.</p> <p>Inform applicants of Council's requirements for crime and safety management for new development. Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements</p> <p>Identify crime and safety priority areas in Pittwater LGA</p> <p>Improve community safety and reduce the fear of crime in the Pittwater LGA</p> <p>Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety.</p>	<p>When entering the site, the entries are evident. The landscape design has been developed together with the architectural design to lead visitors into the site and to the entry of each occupancy.</p> <p>As discussed above, cars enter and leave in a forward direction which ensures pedestrian safety.</p>
C1.3 View Sharing	<p>The controls seek to achieve the outcomes:</p> <p>A reasonable sharing of views amongst dwellings. Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.</p> <p>Canopy trees take priority over views.</p>	<p>No works are proposed which will affect view corridors. The new building has been kept as low as possible to the natural ground levels and is well within the maximum height limit for this site. The building is well modulated.</p> <p>As discussed within the SEE, we have walked around the site and in the area with the project architect and looked at the issue of views. It did not appear from our inspection of the site/s that any</p>

		significant views will be impeded by the proposal. The site is well separated from its neighbours and at a lower level on the slope down to Pittwater Road. It appears that while surrounding dwellings have general outlooks towards the west, that there are no views which are gained directly over the subject site.
C1.4 Solar Access	<p>The controls seek to achieve the outcomes:</p> <p>Residential development is sited and designed to maximise solar access during mid-winter. A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. Reduce usage and/dependence for artificial lighting.</p>	Achieved. Shadow diagrams form part of the DA.
C1.5 Visual Privacy	<p>The controls seek to achieve the outcomes:</p> <p>Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. A sense of territory and safety is provided for residents.</p>	<p>The required controls to achieve the outcomes are to ensure that the private open space within 9m of a development are suitably protected to limit the effects of direct overlooking.</p> <p>There are no privacy impacts as there is ample spatial separation between the proposed dwellings and the nearest neighbours.</p> <p>The height of the building has been minimised and active zones of the dwellings are located on the ground floor. Balconies on the first floor are recessed and relate to bedrooms and are orientated to the west.</p>
C1.6 Acoustic Privacy	<p>The controls seek to achieve the outcomes:</p> <p>Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited. Noise is not to be offensive as defined by the</p>	Given the residential nature of the works, there will not be any significant impact on the surrounding locality in terms of acoustic privacy.

	Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or recreation areas	
C1.7 Private Open Space	<p>The controls seek to achieve these outcomes:</p> <p>Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.</p> <p>Private open space is integrated with, and directly accessible from, the living areas of dwellings.</p> <p>Private open space receives sufficient solar access and privacy</p> <p>Control:</p> <p>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.</p> <p>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%).</p> <p>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.</p> <p>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</p>	<p>Suitable areas of private open space (POS) are provided within the landscaping proposal.</p> <p>The areas of POS are directly accessible from the dwellings and provide sufficient solar access and privacy.</p> <p>The minimum requirement is met and is shown on the landscape calculation plan.</p>

	<p>direct sunlight throughout the year (see Solar Access).</p> <p>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</p>	
C1.8 Dual Occupancy Specific Controls	<p>The controls seek to achieve the outcomes:</p> <p>Limitation of the visual bulk and scale of development.</p> <p>Provision of design flexibility for second storey development.</p> <p>Restriction of the footprint of development on site.</p> <p>Retention of the natural vegetation and facilitation of planting of additional landscaping.</p> <p>Provision of rental accommodation</p> <hr/> <p>Controls:</p> <p>A landscaping strip of 1.5m minimum width shall be provided along the side boundary where any driveway is located adjacent to an existing dwelling.</p> <p>Second storeys shall cover a maximum of 50% of the ground floor area. Second storey's shall be located to:</p> <ul style="list-style-type: none"> • Maximise solar access • Minimise overlooking of private yards • Complement the existing streetscape. • Minimise the appearance of visual bulk. 	<p>We have inspected the site and have made an assessment of the plans and have formed the view that: -</p> <ul style="list-style-type: none"> • The visual bulk and scale of the development fits in with surrounding development. • The proposed building is well within the FSR and height controls for a dual occupancy development on this site which are key indicators that the bulk and scale are appropriate. • Apart from numerical controls, the design and the material palette will contribute to the successful integration of the built form into the sites topography and natural setting. • The proposed first floor of the development is satisfactory because it is stepped back from the ground floor and has an appropriately pitched roof form which will be recessive in the view of the building when viewed from afar. • The second storey of the proposed development has been provided in a reduced floorplate over the ground floor which also reduces the perceived bulk and scale of the building when viewed from afar. As noted within the SEE and as shown in the photos, there is limited view of the site from Pittwater Road and the existing dwelling is barely visible from the eastern side footpath of Pittwater Road. When travelling in a car it is not visible at all, even when looking for it, as the angle of view and line of road make it difficult to see. • The footprint of the development on the site has been restricted and is largely on the footprint of the existing dwelling in order to minimise site disturbance.

	<p>Where a building site is less than 16.5 metres wide the rear dwelling of a dual occupancy must be single storey unless there are adverse slope or topography issues.</p> <p>Dual occupancies shall have a floor space ratio in accordance with the following:</p> <table><tr><th>Area description</th><th>Maximum Floor Space Ratio</th></tr><tr><td>Area 2</td><td>0.3:1</td></tr><tr><td>Area 3</td><td>0.4:1</td></tr></table>	Area description	Maximum Floor Space Ratio	Area 2	0.3:1	Area 3	0.4:1	<ul style="list-style-type: none">• The retention of natural vegetation and the planting of additional landscaping has been achieved• There is no proposal to subdivide the site and it will be retained in single ownership and occupied by single family groups within the same family.• The intent of the controls is to provide a built form which will be viewed as a single dwelling rather than as pigeon pairs or mirror images (ie two distinct occupancies). This has been achieved in this case by the sensitivity of the design and an understanding of the sites constraints and opportunities and an overall appreciation of the special qualities of this site.
Area description	Maximum Floor Space Ratio							
Area 2	0.3:1							
Area 3	0.4:1							
C 1.12 Waste and Recycling Facilities	<p>The controls seek to achieve the outcomes:</p> <p>Waste facilities are accessible and convenient and integrate with the development.</p> <p>Waste facilities are located such that they do not adversely impact upon amenity of the land adjoining development or natural environment.</p>	<p>The on-site storage of waste and recyclables will be retained.</p>						
C1.23 Eaves	<p>The controls seek to achieve the outcomes:</p> <p>Housing that reflects the coastal heritage and character of Pittwater</p> <p>Optimise roof forms. Appropriate solar access and shading is achieved.</p>	<p>The roof is appropriately pitched and eaves are provided.</p>						

Section D Design Criteria		
4. Church Point Bayview Locality Statement		
D4.1 Character as viewed from a public place	<p>The control seeks to achieve these outcomes:</p> <p>To achieve the desired future character of the Locality.</p> <p>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.</p> <p>To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.</p> <p>The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation.</p> <p>High quality buildings designed and built for the natural context and any natural hazards. Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey</p>	<p>The proposal responds to the desired character of the site and the special characteristics of the immediate neighbourhood. This has been outlined elsewhere in this report.</p> <p>The proposed building sits above the level of the road. It does not dominate the streetscape due to the generous setback to the front building line and spatial separation to its neighbours.</p> <p>The proposed new landscaping works for this site has been architecturally designed to integrate with the proposed built form and will achieve compliance all of the relevant desired outcomes.</p> <p>In regard to the relevant control, the improved landscaping of the front of the site in particular will soften the visual impact of the built form as well as contributing to the biodiversity of the immediate locality.</p>

	<p>maximum.</p> <p>To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.</p> <p>To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component. To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. .</p> <p>Control:</p> <p>The relevant control in relation to this application is:</p> <p>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.</p>	
D4.2 Scenic Protection	<p>The control seeks to achieve these outcomes:</p> <p>Achieve the desired future character of the Locality. Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment.</p> <p>Controls:</p>	<p>The proposed works will meet the desired outcomes as the retention of significant canopy trees and supplementary landscaping works including additional plantings on the site will contribute to an improved natural environment when viewed from nearby public vantage points including the walkway along Pittwater Road and nearby Reserves.</p>

	Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	The increased plantings on the site will further minimise any visual impact on the natural environment when viewed from afar however as stated within this report and as seen onsite, the site is well screened from the road and any vantage points due to its tree coverage and the angle of view to the site.
D12.3 Building Colours and Materials	<p>The controls seek to achieve these outcomes:</p> <p>Achieve the desired future character of the Locality.</p> <p>The development enhances the visual quality and identity of the streetscape.</p> <p>To provide attractive building facades which establish identity and contribute to the streetscape.</p> <p>To ensure building colours and materials compliments the visual character of its location with the natural landscapes of Pittwater.</p> <p>The colours and materials of the development harmonise with the natural environment.</p> <p>The visual prominence of the development is minimised.</p> <p>Damage to existing native vegetation and habitat is minimised.</p>	<p>The materials and finishes are recessive, and colours are muted and are taken from the colours of the surrounding natural environment.</p> <p>The materials palette compliments both the architectural style of the building and the sites location.</p> <p>A schedule of materials and finishes forms part of the DA package to Council. The main materials and external finishes have also been outlined in the SEE.</p>
D4.5 Front Building Line	<p>The controls seek to achieve these outcomes:</p> <p>Achieve the desired future character of the Locality.</p>	The desired future character of the locality is achieved as described through this report.

	<p>Equitable preservation of views and vistas to and/or from public/private places.</p> <p>The amenity of residential development adjoining a main road is maintained.</p> <p>Vegetation is retained and enhanced to visually reduce the built form.</p> <p>Vehicle manoeuvring in a forward direction is facilitated.</p> <p>To preserve and enhance the rural and bushland character of the locality.</p> <p>The minimum front building line shall be in accordance with the following table.</p> <table><tr><th>Land</th><th>Front Building Line (metres)</th></tr><tr><td>Land zoned R2 Low Density Residential or E4 Environmental Living adjoining McCarrs Creek Road or Pittwater Road</td><td>10 or established building line, whichever is the greater</td></tr></table>	Land	Front Building Line (metres)	Land zoned R2 Low Density Residential or E4 Environmental Living adjoining McCarrs Creek Road or Pittwater Road	10 or established building line, whichever is the greater	<p>As discussed within this submission, the site and surrounds including a walk along Pittwater Road was undertaken with the project architect. The proposal is satisfactory in regard to its presentation to public and private places due to the care and skill which has been employed in the design process and the architects understanding of the opportunities and constraints of the site.</p> <p>An inspection of surrounding sites indicated to us that no significant views would be impacted upon by the approval of this proposal. There is ample spatial separation between this site and its neighbours, and it does not appear that any site has direct views over the subject site, even from a second storey.</p> <p>The amenity of the future occupants is ensured for the reasons as outlined above given the distance from the proposed dwellings to Pittwater Road.</p> <p>Vehicle entry and exit from the site is in a forward direction and even a stacked parked car forward of the garage of dwelling 2 would not prevent the manoeuvring of cars to enable this to occur.</p> <p>The front building line is over 10m from the front boundary which complies with the requirement. As stated within the SEE, this site has a Pittwater Road address however it does not adjoin Pittwater Road as such. It has a bushland reserve between its western boundary and the road. Therefore, it does not technically adjoin Pittwater Road unless the bushland is considered as part of the roadway. In any case, a 10m setback to the western boundary has been achieved. Given the particulars of this site, the front setback of surrounding sites is not evident as it would be on a more conventional subdivision pattern.</p>
Land	Front Building Line (metres)					
Land zoned R2 Low Density Residential or E4 Environmental Living adjoining McCarrs Creek Road or Pittwater Road	10 or established building line, whichever is the greater					

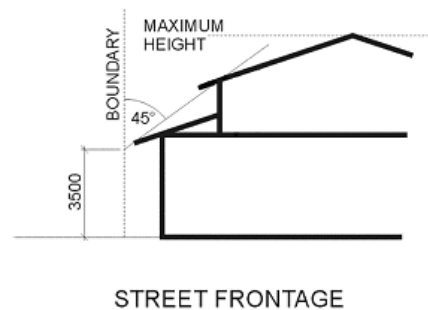
	All other land zoned R2 Low Density Residential or E4 Environmental Living	6.5 or established building line, which ever is the greater	The bushland forward of the site contributes to an even greater perceived setback to the road and therefore the established character of this section of Pittwater Road is retained.
	Land zoned B1 Neighbourhood Centre or IN4 Working Waterfront	3.5	
	All other land	Merit Assessment	
	Built structures other than driveways, fences and retaining walls are not permitted within the front building setback.		
D4.6 Side and rear building line	<p>The controls seek to achieve these outcomes:</p> <p>To achieve the desired future character of the Locality.</p> <p>The bulk and scale of the built form is minimised. Equitable preservation of views and vistas to and/or from public/private places. To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping. To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.</p> <p>Substantial landscaping, a mature tree canopy and an attractive streetscape. Flexibility in the siting of buildings and access. Vegetation is retained and enhanced to visually reduce the built form.</p>		<p>The proposed setbacks to the side and rear boundaries are compliant with the requirements for a dual occupancy.</p> <p>At least 2.5m is provided on the northern side of the site, and this adjoins the pathway so an even greater setback will be perceived.</p> <p>At least 1m is provided on the southern side of the site and 6.5m at the rear.</p> <p>All setbacks comply.</p>

	<p>To ensure a landscaped buffer between commercial and residential zones is established.</p> <p>The minimum side and rear building line for built structures including pools and parking structures, other driveways, fences and retaining walls, shall be in accordance with the following table.</p> <table><tr><th>Land</th><th>Side and Rear Building Line Setback (metres)</th></tr><tr><td>Land zoned R2 Low Density Residential or E4 Environmental Living</td><td>Dual Occupancy 2.5 to at least one side 6.5 rear (other than where the foreshore building line applies)</td></tr></table> <p>The relevant controls to achieve this outcome are to maintain a minimum side boundary setback of 2.5m for at least one side and min 6.5m rear setback .</p>	Land	Side and Rear Building Line Setback (metres)	Land zoned R2 Low Density Residential or E4 Environmental Living	Dual Occupancy 2.5 to at least one side 6.5 rear (other than where the foreshore building line applies)	
Land	Side and Rear Building Line Setback (metres)					
Land zoned R2 Low Density Residential or E4 Environmental Living	Dual Occupancy 2.5 to at least one side 6.5 rear (other than where the foreshore building line applies)					
D4.8 Building Envelope	<p>The controls seek to achieve these outcomes:</p> <p>To achieve the desired future character of the Locality.</p> <p>To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.</p> <p>To ensure new development responds to, reinforces and sensitively relates to spatial</p>	<p>As shown on the plans, there is a minor variation proposed to the Building Envelope. It occurs on the southern side of the building on the western elevation. As can be seen, it is a very minor encroachment and there is no benefit gained by splaying the corner to achieve numerical compliance.</p>				

characteristics of the existing natural environment. The bulk and scale of the built form is minimised. Equitable preservation of views and vistas to and/or from public/private places. To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. Vegetation is retained and enhanced to visually reduce the built form.

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

Buildings are to be sited within the following envelope:



Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the

The built form is well within the statutory FSR and height limits and the bulk and scale of the building has been minimised both by containing the FSR and height, sensitive site planning and design and a complementary materials palette.

That small section of building which encroaches into the building envelope plane is located adjacent to the southern boundary and there are no direct neighbours given the vehicle accessways which are located there.

There is no loss of amenity by way of loss of visual privacy, loss of sunlight or loss of views as a result of the small variation which is sought.

Major vegetation is retained on the site.

Further to the above, the slight variation will not be perceived as it might be on a more conventional site and this is due to the special qualities of the subject site being accessed via a driveway from the road.

	maximum building height (refer to Pittwater Local Environmental Plan 2014).	
D4.10 Landscaped Area – Environmentally Sensitive Land Land in the Church Point and Bayview Locality within Areas 1 and 2 of the Landscaped Area Map	<p>The controls seek to achieve these outcomes:</p> <p>Achieve the desired future character of the Locality.</p> <p>The bulk and scale of the built form is minimised.</p> <p>A reasonable level of amenity and solar access is provided and maintained.</p> <p>Vegetation is retained and enhanced to visually reduce the built form.</p> <p>Conservation of natural vegetation and biodiversity.</p> <p>Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.</p> <p>To preserve and enhance the rural and bushland character of the area.</p> <p>Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.</p> <p>Controls:</p> <p>The required controls to achieve the outcomes are to limit residential development in order to maintain a minimum landscaped area of 60% of the site area.</p> <p>The use of porous materials and finishes is encouraged where appropriate.</p>	<p>The bulk and scale of the building is minimised by a low FSR, keeping height low and below that of the tree canopies on site and good design principles.</p> <p>A reasonable level of amenity and solar access is provided for the future occupants and maintained for surrounding properties.</p> <p>The proposal will maintain the existing landscaped character of the site which meets the desired future character of the locality.</p> <p>The proposed landscape treatment of the site, together with the retention of trees on the site will enhance the built development and further minimise the bulk and scale of the building when viewed from outside the site.</p> <p>The site will retain the opportunity for screening landscaping to enhance the privacy of the building's occupants and for its neighbours.</p> <p>Apart from the removal of one significant tree which cannot be avoided, no other significant canopy trees or vegetation will be removed to accommodate the new works. There is no nett loss of canopy trees from the site as new plantings will add to the landscaped character.</p> <p>The proposal will result in the natural absorption of stormwater on the site given that most of the works are pervious. The proposed landscaping will reduce run off from the site. Soft surfaces, including paths within the landscaping have maximised.</p> <p>The proposal will enhance the natural beauty of the site and surrounds.</p>

	<p>Variations</p> <p>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</p> <p>impervious areas less than 1 metre in width (e.g. pathways and the like); for single dwellings on land zoned R2 Low 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))</p>	<p>The proposal complies and provides for 60% of the site as landscaped area. Calculations are shown on the plan.</p> <p>The use of porous materials and finishes has been maximised where possible including paths within the landscaped areas</p>
D4.11 Fences General	<p>The controls seek to achieve these outcomes: To achieve the desired future character of the Locality. To ensure fences compliment and conserve the visual character of the street and neighbourhood To define the boundaries and edges between public and private land and between areas of different function.</p> <p>To contribute positively to the public domain. An open streetscape that allows casual surveillance of the street.</p> <p>Fences, where provided, are suitably screened from view from a public place. Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians.</p> <p>To ensure heritage significance is protected and enhanced.</p>	<p>Fencing around the site is minimised where possible and is shown on the landscape plans.</p> <p>It will provide security but be light weight where possible and integrate into the natural palette.</p> <p>All fencing has been designed as an integral part of the redevelopment of the site in a sensitive manner and not as an afterthought. It will therefore complement the proposed building and landscaping works which will be undertaken.</p>

	<p>To ensure an open view to and from the waterway is maintained.</p> <p>Controls:</p> <p>Front fences and side fences (within the front building setback) shall;</p> <ul style="list-style-type: none"> • not exceed a maximum height of 1 metre above existing ground level, • be compatible with the streetscape character, and • not obstruct views available from the road. <p>Fences are to be constructed of open, see-through, dark-coloured materials.</p> <p>Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</p> <p>Original stone fences or stone fence posts shall be conserved.</p> <p>Rear fences and side fences (to the front building line)</p> <p>Fencing is permitted along the rear and side boundaries (other than within the</p>	
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

	front building setback) to a maximum height of 1.8 metres.	
D4.13 Construction, Retaining walls, terracing and undercroft areas	<p>The controls seek to achieve these outcomes: To achieve the desired future character of the Locality. To protect and minimise disturbance to natural landforms. To encourage building design to respond sensitively to natural topography.</p> <p>Controls: Lightweight construction and pier and beam footings should be used in environmentally sensitive areas. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials. In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.</p>	<p>The use of retaining walls and terracing on the site has been designed to protect and minimise site disturbance while providing access around the garden. The undercroft of the building will be screened.</p> <p>Materials which will be used on the site are taken from the natural environment and include timber and stone. The intent of the entire design is to be environmentally sensitive in order to minimise disturbance to the site.</p>