



BLACKWATTLE PLANNING

STATEMENT OF ENVIRONMENTAL EFFECTS

for alterations and additions to a
dwelling, construction of a new
swimming pool, and landscaping

**6-7 Kara Crescent
Bayview**

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1.0 Introduction

This Statement of Environmental Effects accompanies a Development Application for alterations and additions to a dwelling, construction of a new swimming pool, and landscaping at 6-7 Kara Crescent, Bayview (the site). The statement is prepared by Blackwattle Planning and relies upon the following documentation:

- Architectural Plans prepared by Campbell Architecture
- Survey Plan prepared by C.M.S Surveyors Pty Ltd
- Geotechnical Report prepared by Crozier Geotechnical Consultants
- BASIX Certificate prepared by Eco Certificates Pty Ltd
- Arboreal Report prepared by Bluegum Tree Care and Consultancy
- Landscape Concept Plans prepared by Spirit Level Designs Pty Ltd
- Stormwater Plans prepared by ADCAR
- Waste Management Plan prepared by Campbell Architecture

2.0 The site and its surrounds

The Site

The site is known as No. 6-7 Kara Crescent, Bayview. No. 6 forms the northern portion of the combined development site. It is legally identified as Lot 3 in DP1194872 and has an area of 4011sqm. No. 6 Kara Crescent has previously supported a dwelling which has recently been demolished. The driveway accessing No. 6 from Kara Crescent remains.

No. 7 Kara Crescent adjoins No. 6 Kara Crescent directly to the south with an area of 4583sqm and legal description of Lot 4 DP 1194872. This portion of the development site currently accommodates a dwelling over three levels, swimming pool, tennis court and minor outbuildings within a formal lawn and landscaped setting. Structures on the site are located centrally within the allotment which is irregularly shaped and is accessed via a driveway of approximately 50m.

Together the two lots form a development parcel of 8594sqm, accessed from the cul de sac turning circle of Kara Crescent. Consolidation of the lots is not proposed under this application.

The landform is generally moderately sloping from the Kara Crescent frontage to the east. At the eastern boundary of both lots the land falls away steeply, exposing rock outcropping, boulders and in some locations a distinct rock shelf. The dwelling and swimming pool at No 7 sit immediately above this shelf and the land has been retained to an extent to support the structure. Parts of the site adjoining the rear boundary are not readily traversable.

Native Canopy trees occur predominantly on the western and north western parts of the combined site, concentrated around the driveway areas and frontage to Kara Crescent. Vegetation otherwise comprises formal lawn and landscape gardens, and a mix of native and exotic understorey towards the rear.

Surrounding land and development

To the north and east of the site are further large landholdings sited at the base of the steep fall in the land. These sites contain single dwellings and are accessed from Alexandra Crescent and Kamilaroi Road. The level changes, spatial separation, and vegetation mean it is difficult to view some of these adjoining dwellings from the site.

Adjoining the site to the north west is No. 5 Kara Crescent with an area of 4052sqm supporting a single dwelling and swimming pool. To the south west the site adjoins No. 8 Kara Crescent with an area of over 5000sqm. The southern corner boundary of the combined site adjoins land accessed from Utingu Place.

All adjoining lots are in excess of 4000sqm, and the immediate surrounds of the site and Kara Crescent generally are characterised by moderate cover of native canopy and large single dwellings.

Aerial photos below identify the site within its immediate surrounds and wider locality. We note that the dwellings shown on both No. 6 and No. 8 Kara Crescent are now demolished.



Figure 1: No. 6-7 Kara Crescent and immediate surrounds
Source: SixMaps

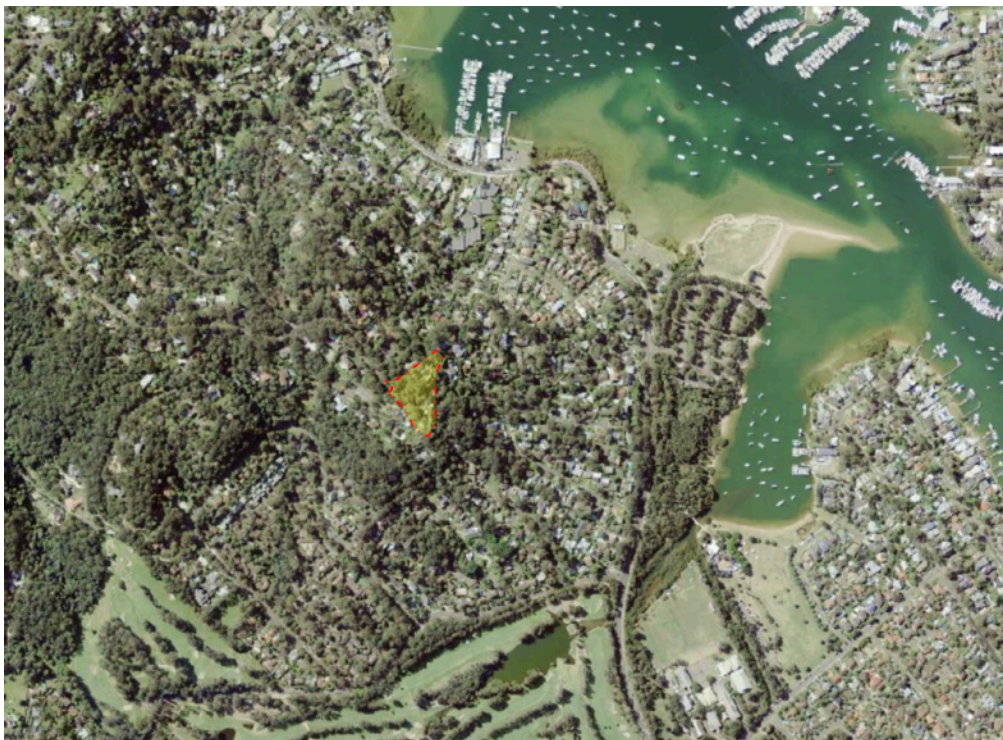


Figure 2: No. 6-7 Kara Crescent in the wider locality **Source:** Six Maps

3.0 Site Photos



Figure 3: South elevation of the existing dwelling as viewed from the turning circle
Source: Campbell Architecture



Figure 4: North elevation of the existing dwelling taken from the driveway
Source: Campbell Architecture



Figure 5: Entrance to No. 7 Kara Crescent **Source:** Campbell Architecture



Figure 6: Left to right, entrances from No.s 5, 6, and 7 Kara Crescent
Source: Campbell Architecture



Figure 7: Rock shelf, outcropping and boulders characterise the site and result in a steep drop at the eastern boundary **Source:** Campbell Architecture



Figure 8: Dwelling at No. 5 Kara Crescent **Source:** Campbell Architecture



Figure 9: The site of the recently demolished dwelling on No. 6 Kara Crescent viewed from the remaining driveway **Source:** Campbell Architecture



Figure 10: The existing dwelling at No. 7 Kara Crescent as viewed from No. 6. **Source:** Campbell Architecture

4.0 Proposed development

The proposed development comprises alterations and additions to the existing three level dwelling, the construction of a new swimming pool, and extensive landscaping.

The details of the proposal are as follows:

Level 0

- Excavate and retain landform to create new lift space
- Relocate stair
- Various changes to openings
- Reconfiguration of floor space to create new gym facilities
- New brick columns to replace existing

- Convert existing swimming pool to water tank and landscape over

Level 1

- Construct new wing comprising entry and foyer, leading to new living, kitchen and dining areas to north west of existing structure
- New terrace and pergola structures to east and west of new wing
- Reconfigure internal walls and openings of existing structure to create new study 1 and bed 1 and lift access within existing floor space
- Construct study 2 within the existing entry area
- Relocate internal stair access
- Remove existing awnings over existing terraces

- Demolish existing shed, extend and join existing driveway
- Construct porte cochère
- Construct new swimming pool, associated facilities, and adjoining lawn and landscaping
- Construct new cloister garden and Loggia

Level 2

- Demolish existing high pitched roof, dormers , and internal walls
- Construct new flat roof and parapet over level below, solar panels, and new metal pitched roof over bath 1 below
- Construct new planter to eastern elevation at this level adjoining pergola. Extend floor space over southern end and central area of footprint, including partially over new northern wing, to provide 4 bedrooms and 4 bathrooms
- Extend lift access to this level, including to central pergola area and new terrace 4 over Level 1
- Construct new metal roof over at reduced pitch

5.0 NSW Biodiversity Conservation Act 2016

Parts of the site are identified on the NSW Biodiversity Values Map (BV Map). The map identifies land with high biodiversity value with a sensitivity to impacts from clearing. The extent of the mapped area is shown (purple) in the map extract below:



Figure 11: Extract from Biodiversity Value Map **Source:** NSW Planning Portal

Any impact to native vegetation within the areas identified on the BV Map triggers the requirement for the Biodiversity Offsets Scheme and a Biodiversity Development Assessment Report (BDAR). The proposal requires the removal of one native and protected tree, being a Tree 19 Grey Gum *Eucalyptus Punctata* which is located in the immediate curtilage of the existing dwelling, and within the footprint of the proposed amended driveway.

Tree 19 is located within the area mapped on the BV Map, and Narla Environmental have subsequently prepared the BDAR accompanying this application.

6.0 State Environmental Planning Policies (SEPP)

6.1 SEPP (Resilience and Hazards) 2021

Chapter 4 - Remediation of land

Chapter 4 applies to the land. Clause 4.6 requires that the consent authority must not consent to development 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.*

The site has been utilised for residential purposes for an extended period of time and no change of use is proposed. The risk of contamination is low and there is no information suggesting the site may be contaminated. The consent authority can be satisfied that the land is suitable for the continued residential use.

6.2 SEPP (Building Sustainability Index: BASIX) 2004

SEPP BASIX applies to the proposed works as they are defined as BASIX affected development under the EP & A Regulation. A BASIX certificate is provided with this application prepared by Eco Certificates Pty Ltd.

7.0 Pittwater Local Environmental Plan 2011 (PLEP 2011)

Land zoning and permissibility

The site is within the area to which PLEP 2014 applies. Clause 2.2 of the LEP zones the land part R5 Large Lot Residential and part C4 Environmental Living in accordance with the Land Zoning map, reproduced below:

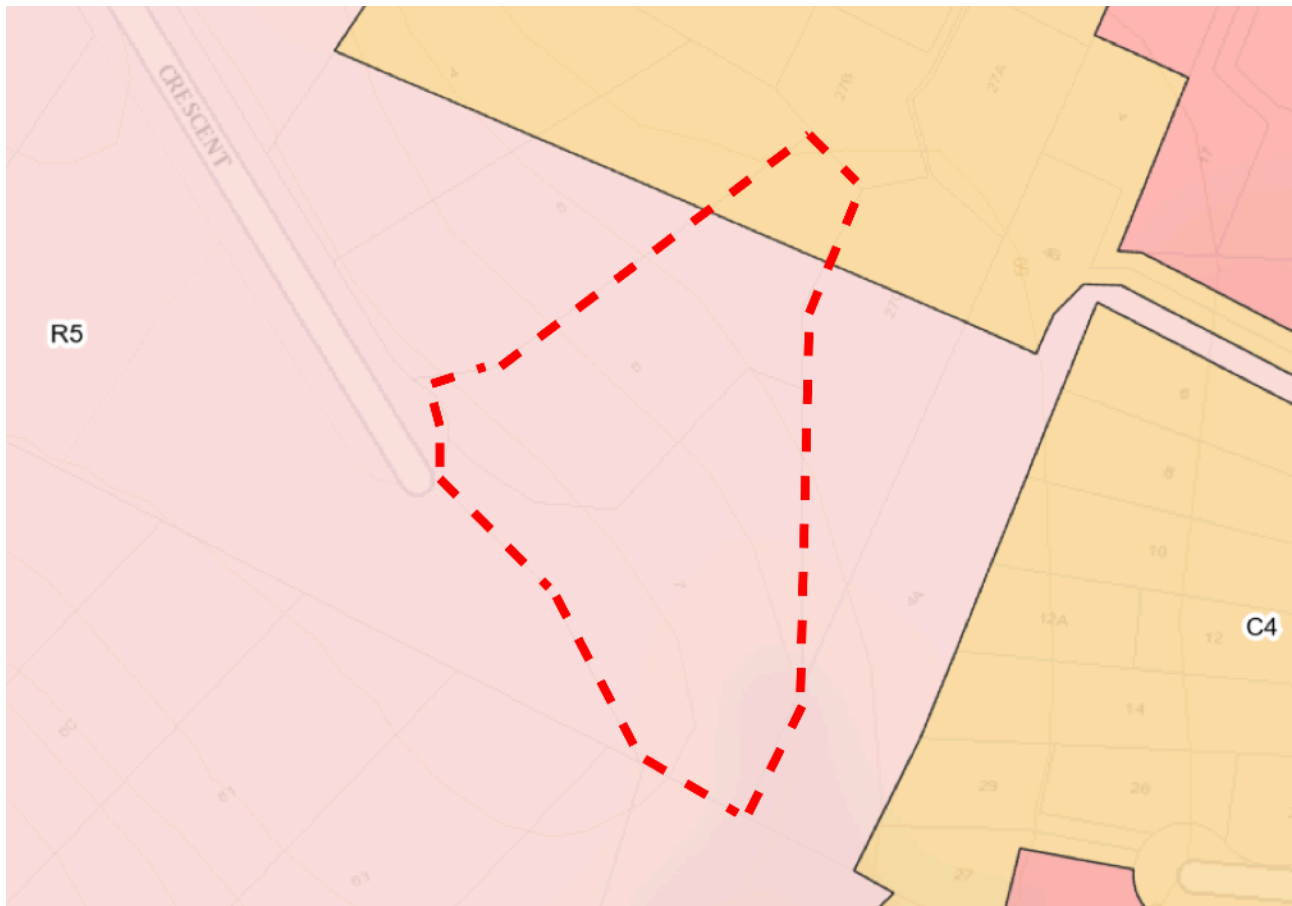


Figure 12: PLEP 2014 Zoning map showing the split zoning of the site within both the R5 Large Lot Residential and the C4 Environmental Living Zones **Source:** NSW Planning Portal

Dwellings are permissible with consent within both the R5 and C4 Zones as set out in the Land Use Table under Part 2 of PLEP 2014.

Zone Objectives

The objectives the C4 Environmental Living Zone are met by the proposed development as follows:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values; and*
- *To ensure that residential development does not have an adverse effect on those values.*

The demolition of a previous dwelling at No. 6 Kara Crescent and a combining of the lots to form a single development site supporting just one dwelling will clearly minimise visual impacts upon neighbouring dwellings and upon the scenic visual catchment within which the site sits. The decision to combine the two allotments and to retain substantial existing structure on No. 7 Kara Crescent reduces the already low impact circumstances and provides a unique opportunity to enhance the special visual and biodiversity values of the site.

- *To provide for residential development of a low density and scale integrated with the landform and landscape.*

The removal of significant structure from the eastern projecting portion of the existing dwelling substantially reduces the presentation of scale on this site, which has a wide visual catchment in its elevated position. The retention of vegetation in both the eastern and northern foreground and the backdrop of considerable mature canopy means the proposed extended dwelling retains a highly vegetated context. In particular canopy trees to be retained to the northwest of the site provide significant scale which ensure the proposal remains secondary to the bushland setting.

- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

The increased landscaped area that arises from the demolished dwelling on No. 6 Kara Crescent, together with the concentration of built form within already disturbed areas of the site allows the habitat value of the combined site to be significantly enhanced.

The objectives the R5 Large Lot Residential Zone are met by the proposed development as follows:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*

The increased opportunity for native landscaping on the site is captured by this proposal and structure is concentrated and located centrally on the site. The scale of the dwelling is reduced at its most prominent edge, and needed floor space occupies the footprint of existing structure and the current formalised garden curtilage.

- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*

The single dwelling over two allotments provides the adjoining land additional spatial separation which reduces already minimal amenity impacts in the immediate locality. The site and proposed design will be less obtrusive in the landscape and recessive as viewed from nearby foreshore areas. The surrounding urban areas will benefit from the dwelling being less prominent in the landscape and well integrated with the surrounding canopy.

- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

No such increase in demand for public services or facilities will arise from the proposed development.

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The site has a split zone at its northern corner and currently transitions from the R5 Large Lot Residential Zone to the C4 Environmental Living Zone along its eastern and northern edge. The additional spatial separation provided by the combining of the lots respects the increased sensitivity of the ridgeline location of the existing dwelling.

- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

No other land uses are proposed, and the additional spatial separation between development can only benefit any such uses proposed on adjoining lots into the future.

Height of buildings

The maximum Height of buildings for this site is 8.5m as indicated by the Height of buildings map pursuant to Clause 4.3 of PLEP 2014, reproduced below.

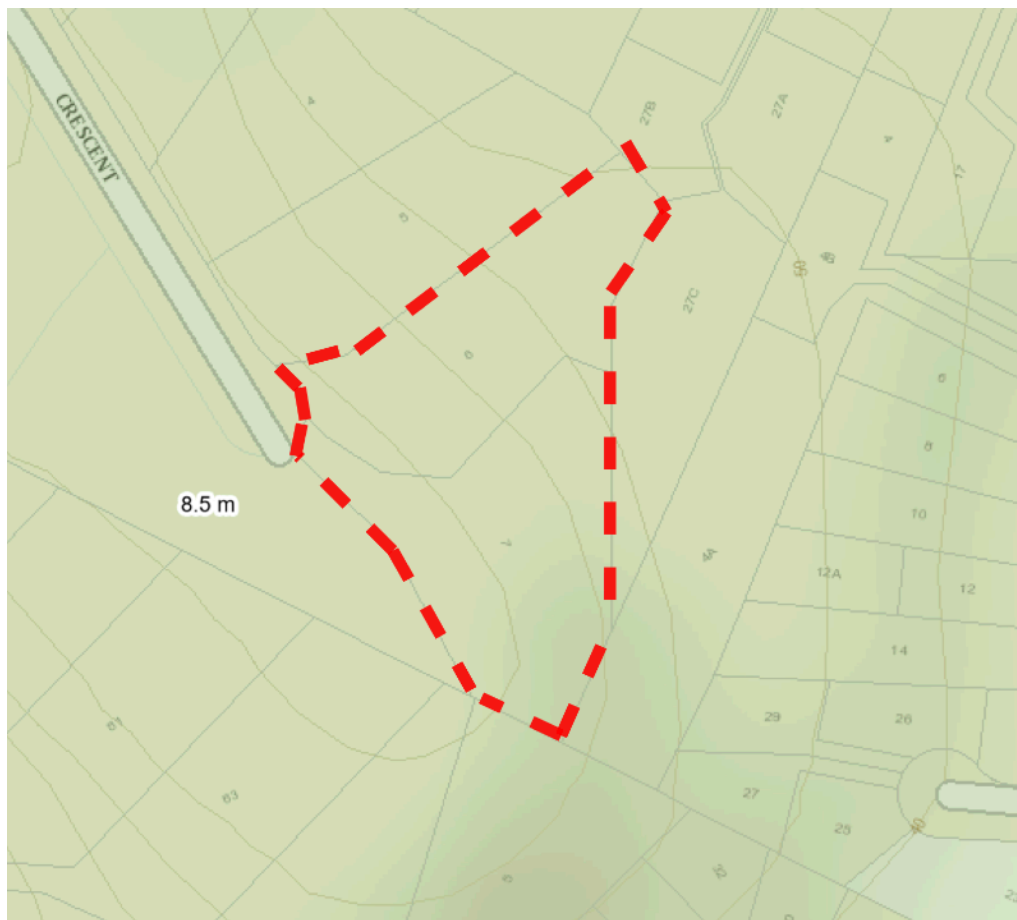


Figure 13: PLEP 2014 Height of buildings map showing the site mapped as 8.5m maximum height **Source:** Planning NSW Planning Portal Spatial Viewer

The proposed design is almost wholly compliant with the Height of buildings development standard of 8.5m. The boulders and irregular landform under the existing dwelling mean that a small portion of the structure will break through the 8.5m limit by a maximum of 1.94m, reaching a maximum height of 10.44m. This is a variation to the development standard of 22% however it is restricted to a small portion only of bed 3 on the upper level and the adjoining pergola.

The removal of structure at the eastern edge of the dwelling and distribution of floor space to above the central and western part of the footprint greatly increases the level of compliance with the 8.5m height limit, and successfully steps the building in line with the slope of the land.

Importantly, this design assists in recessing the higher elements of the structure to ensure they are less prominent on the ridgeline.

The extent to which compliance with the height limit is improved by the proposal is best demonstrated by comparison of the height blanket diagrams below:

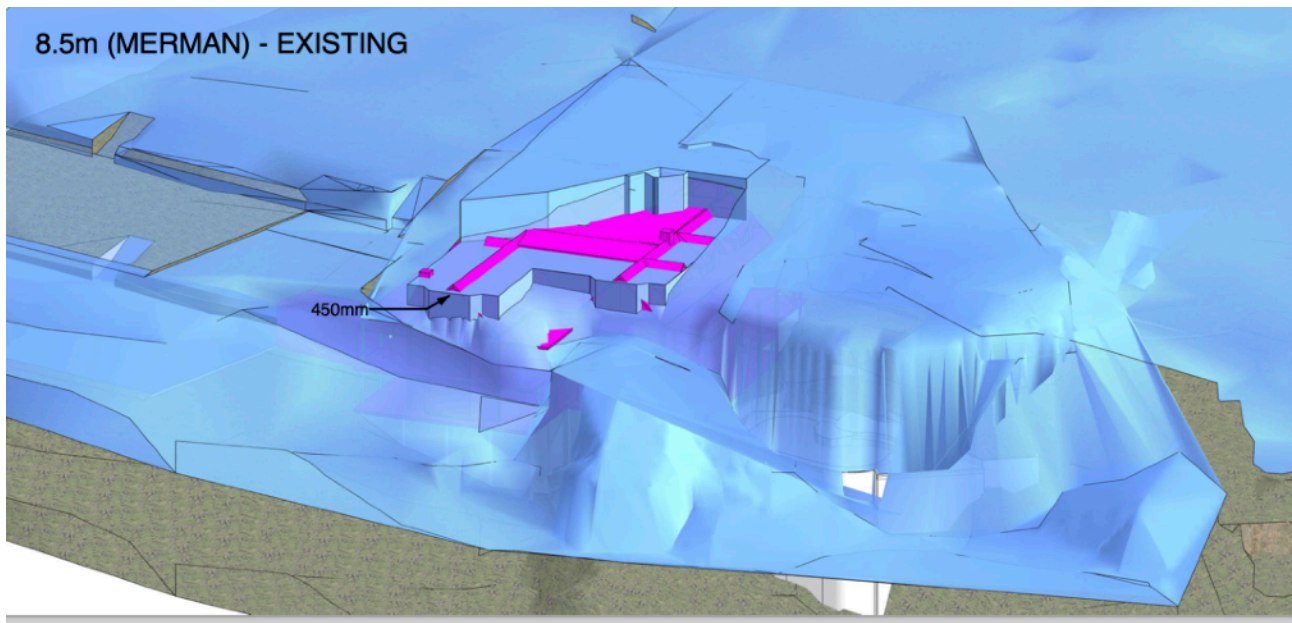


Figure 14: Non-compliance with 8.5m height limit of existing building
Source: Campbell Architecture

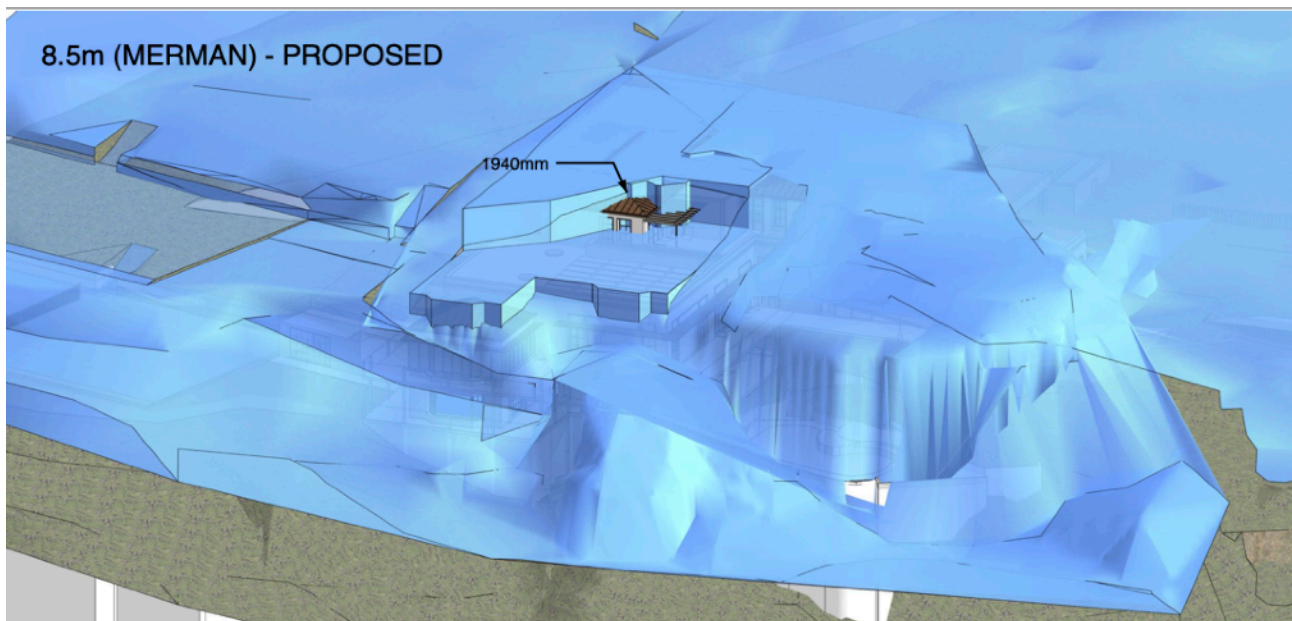


Figure 15: Reduced extent of non-compliance with 8.5m height limit of proposed building
Source: Campbell Architecture

A Clause 4.6 Request for Variation accompanies this statement, outlining the improved outcome resulting from the proposal. The written request identifies environmental planning grounds to justify the variation. The request concludes that strict compliance with the standard would be unreasonable and unnecessary in the circumstances given the consistency of the proposal with the objectives of the zone and development standard.

Heritage Conservation

The site is not listed as a heritage item, is not in the vicinity of a heritage item, and is not mapped as being in a Heritage Conservation Area.

Acid Sulfate soils

The site is classified as Class 5 on the Acid Sulfate Soils Map of PLEP 2014. The works proposed are not below 5m AHD and the water table is not likely to be lowered. An acid sulphate soils management plan is therefore not required.

Earthworks

Earthworks are proposed for site preparation, the addition to the driveway, and construction of the new swimming pool. Given the sensitivity of the site and the generally minimal soil depths across the landform, excavation has been minimised in preference for working with and above the existing structure and ground lines. No detrimental impact on environmental functions and processes, neighbouring dwellings, cultural or heritage items or features of the surrounding land are anticipated.

Coastal Risk Planning

The site is not identified by the Coastal Risk Planning Map as being subject to any Coastal risks (Wave inundation, Coastal erosion, Bluff/Cliff instability) required to be considered under Clause 7.5 of PLEP 2014.

Biodiversity

The site is identified on the Biodiversity Map as being subject to the requirements of Clause 7.6 Biodiversity PLEP 2014.

The relevant matters for consideration under Clause 7.6 are as follows:

- (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.*

An arboricultural impact assessment has been undertaken and accompanies this application (Bluegum Tree Care and Consultancy, dated May 2023). The site supports 53 trees, most of which have medium to high retention value. Four trees are proposed for removal. Three of these (Tree 28, 51 and 52) are exempt species and are not protected.

Tree 19 is a Grey Gum with high retention value, however it is located close to the existing dwelling and removal is required for the proposed driveway and porte cochere. The assessment indicates the high retention of valued native trees on the site and notes that the loss of this one tree will not impact the environmental value or landscape amenity of the site.

In addition we note this application is supported by a BDAR indicating the loss can be accommodated within the Biodiversity Offsets Scheme in accordance with the Biodiversity Conservation Act.

This application has considered these matters and we conclude that:

- There will be no adverse impact upon ecological values and significance on flora and fauna on the land, and that it is likely that these values and significance will be substantially enhanced through the implementation of extensive native plantings on the site; and,
- With only one native tree proposed for removal and noting the significant landscape contribution of combining the two lots, there will be a meaningful benefit for vegetation on the land that provides for the survival and habitat of native fauna; and,
- The limited additional footprint of the proposal means there is negligible potential for fragmentation of biodiversity on the land and minimal disturbance or reduction in biodiversity structure, function and composition. In contrast, the contraction of the built form footprint from the previous circumstances of two dwellings on the combined land to just one dwelling represents a substantial opportunity for increasing biodiversity values and reducing fragmentation on the site overall; and,
- The connectivity of habitat on the land with adjoining land will be enhanced and not reduced; and,
- The proposed landscape plan includes plantings that mitigate any minimal impacts occurring on the land and enhances the long term habitat quality for native wildlife.

The requirements of Clause 7.6 Biodiversity are met by the proposed development as outlined below:

(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

The proposed alterations to the dwelling consolidate structure in a single footprint over a part of the site that is already disturbed. The additional northern wing to be constructed, swimming pool and associated structures, and landscape occupy a part of the site that is currently predominantly lawn area and formalised garden. Considerable effort has been made to avoid unnecessary impact upon the remnant canopy or rock features of the site.

(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

The proposed impact is negligible and acceptable as demonstrated by the accompanying BDAR.

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Any impact is minimised and the landscape plan designed to enhance habitat opportunities on the site.

Geotechnical Hazards

Clause 7.7 of PLEP 2014 identifies land susceptible to geotechnical hazard, i.e. land identified as Geotechnical H1 and Geotechnical H2 on the Geotechnical Hazard Map. The eastern portion of the site is mapped as being in Geotechnical H1 as indicated below:.

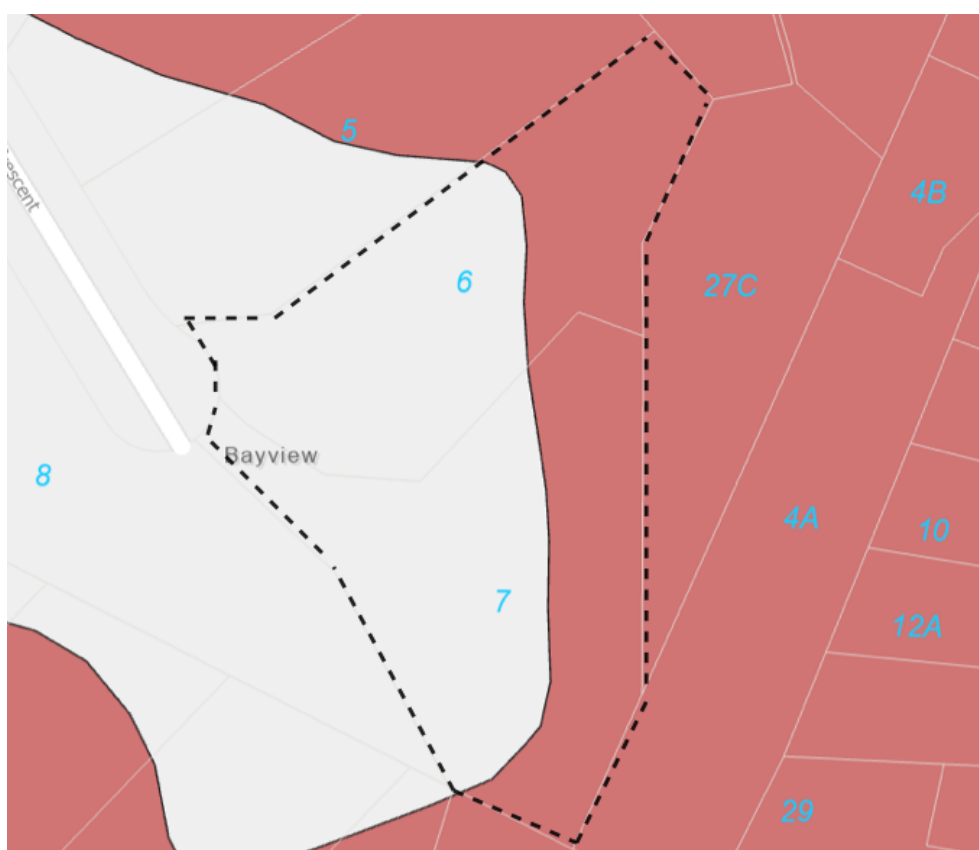


Figure 16: Geotechnical Hazard H1 indicated in Red
Source: NSW Planning Portal

A Geotechnical Risk Report prepared by Crozier Geotechnical Consultants accompanies this application and considers the relevant matters for consideration under Clause 7.7(3). The report concludes that the proposed development is appropriate in relation to the matters of which the consent authority must be satisfied of under Clause 7.7 (4)(a) and (b).

Essential services

Essential services listed at Clause 7.10 of PLEP 2014 are available at the site.

8.0 Pittwater 21 Development Control Plan (P21DCP)

A summary of relevant development controls and the extent of compliance under Pittwater 21 DCP is provided in Table 1 below:

DCP Provision		Proposed	Compliance
A4.2 Bayview Heights	Consistent with Desired Character Statement	Consistent.	YES - See discussion
B1.3 Heritage Conservation - General	Potential for heritage significance	The existing dwelling does not meet the criteria for heritage listing	YES
B1.4 Aboriginal Heritage Significance	Potential for being an Aboriginal Place or containing an Aboriginal object	We are not aware of any landscape features that indicate an Aboriginal Place or contain an Aboriginal object	YES
B3.1 Landslip Hazard	Compliance with the Geotechnical Risk Management Policy for Pittwater	A Geotechnical Risk report accompanies this application	YES
B4.4 Flora and Fauna Conservation Category 2 Land and wildlife corridor	Retain and enhance habitat for threatened species, endangered populations, or endangered ecological communities.	The loss of one native tree is required however the loss will not result in an adverse impact upon threatened species, endangered populations, or endangered ecological communities. A BDAR accompanies this application in accordance with the Biodiversity Act	YES
B5.15 Stormwater	Compliance with Council's Water Management for Development Policy	A stormwater management plan is provided indicating appropriate disposal of stormwater on the site.	YES
B6.1 Access driveways	Driveway to comply with AS where additional parking spaces are proposed.	Existing garage and driveway to remain.	YES

DCP Provision		Proposed	Compliance
B6.3 Off Street vehicle parking requirements	2 spaces	4 spaces existing to be retained	YES
C1.1 Landscaping	All canopy trees to be locally native	100% native canopy plantings proposed.	YES
C1.3 View Sharing	Reasonable sharing of views consistent with Planning Principle	Reasonable view sharing scenario is retained as view impacts from neighbouring or nearby dwellings will not arise. Views from the public domain will also be retained noting the substantial front setback achieved by the design.	YES
C1.4 Solar Access	Dwelling and adjoining dwellings to receive 3hrs sunlight between 9am -3pm to POS; and windows to principal living areas.	Generous spatial separation from the combined lots ensures no additional shadow impacts arise for neighbouring development. Shadow analysis provided within plan set	YES
C1.5 Visual Privacy	Dwelling and adjoining dwellings protected from direct overlooking within 9m of POS and living rooms	Generous spatial separation from the combined lots together with retention and enhancement of vegetation ensures no additional privacy impacts arise for neighbouring development	YES
C1.6 Acoustic Privacy	Pool equipment appropriately housed; bedrooms located away from noise sources	Pool equipment is appropriately housed to minimise noise impacts upon the occupants and any neighbours	YES
C1.7 Private Open Space	80sqm directly accessible from living areas, located at rear of dwelling with good solar orientation	The site easily complies with this requirement with extensive areas of private open space within its curtilage	YES
C1.12 Waste and Recycling Facilities	Demonstrate compliance with Waste Management Guidelines	Compliant Waste Management Plan provided.	YES
C1.14 Separately Accessible Structures	Ancillary, and not designed for separate habitation or contain cooking facilities	No separately accessible structures are proposed.	YES
C1.15 Storage Facilities	8 cubic metres to be provided per dwelling	Provided adjoining the gym area and staff room on the lower level.	YES
C1.23 Eaves	Eaves to be provided on all elevations min 450mm width	The dwelling proposes a hipped roof design at the upper level with minimal pitch and substantial eaves for weather protection	YES

DCP Provision		Proposed	Compliance
D2.1 Character as viewed from a public place	Design features to be provided to front building facade and building bulk minimised	The substantial distance of the dwelling from the front boundary allows it to perform well against this control, which is predominantly concerned with dwellings at the street frontage or where they adjoin a public place.	YES
D2.2 Scenic Protection	Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	The reduction in building form, particular at the eastern edge of the existing dwelling, and the streamlined roof forms proposed for the new upper level will substantially reduce the prominence of the dwelling as viewed from nearby local public open space areas, and the Pittwater waterway.	YES
D2.3 Building Colours and Materials	Dark and Earthy tones. No white or light coloured roof or walls	Dark and earthy tones are proposed to assist the dwelling to be subservient to the bushland setting.	YES
D2.5 Front Building Line	Land Zoned R5 Large Lot Residential - 20m	The closest element of the dwelling to the front boundary is 29m.	YES
D2.6 Side and rear building line	Side building line - 6.5m	North west - Fully compliant with 6.5m South West - Existing structures are between nil (tennis court) and 3m (driveway) from the side boundary. No new work breaches the 6.5m requirement	YES YES
	Rear - 20m	Existing structures are setback 12.5m (tennis court), 7.5m (eastern edge of dwelling, and 5m (eastern edge of pool deck from eastern rear boundary. These setbacks will remain, however the extent of dwelling structure within the 20m is substantially reduced.	YES - see discussion
D2.7 Building Envelope	3.5m + 45 deg measured from ground level on side boundary	All proposed structure is substantially within the envelope. The existing tennis court remains non-compliant	YES
D2.8 Landscaped Area - Environmentally Sensitive Land	60% of the site area to be landscaped area within the C4 Zone.	100% of the C4 Zone land will be landscaped area	YES
D2.9 Landscaped Area - Non Urban	80% of the site area to be landscaped area within the R5 Zone.	70% overall landscape area provided, an increase from the previously existing calculation of 64%	NO - see discussion

DCP Provision		Proposed	Compliance
D2.11 Fences - Flora and Conservation Areas	Vegetation preferred to front fencing. Side and rear fencing to be passable by wildlife	Existing fences are retained. No new fencing proposed	YES
D2.13 Scenic Protection Category One Areas	Minimise impact upon vegetation. Retention and regeneration of existing vegetation outside of the immediate area for the development	One canopy tree is proposed for removal as it conflicts with the proposed building footprint. Significant opportunity for extensive native plantings and overall net increase in flora and fauna habitat through the concentration of structure as one dwelling centrally located in the already disturbed areas of the site.	YES

A4.2 Bayview Heights Locality

P21DCP provides a desired character statement to guide development in the Bayview Heights Locality within which the site is located. The proposed dwelling is consistent with the key elements of the character statement relevant to dwellings, as follows:

- *..a low-density residential area with dwelling houses in maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape.*

The proposal remains low density in the form of a single dwelling and presents as two storeys as viewed from adjoining sites and from the public domain. Substantial mature canopy to be retained on site ensures that structure remains secondary to the landscape when viewed in the locality. The additional floor space has been sited to minimise excavation and disturbance on the site.

- *Care will need to be taken with future developments to ensure that outbuildings and ancillary recreational structures do not dominate the natural landscape and bushland setting.*

Floor space is consolidated into a single footprint on the site and an existing outbuilding will be removed. The new swimming pool transitions the space from the formal garden and recreational space to the natural landform beyond and will remain in a landscaped setting.

- *..maintain a building height limit below the tree canopy, and minimise bulk and scale. Such development will need to consider its impact upon the slope of the land both from a hazard point of view (landslip & bushfires) and visually, especially when viewed from outside the locality such as the Pittwater waterway and Mona Vale valley.*

The proposed development remains substantially below the tree canopy despite the variation of a small section with the height of buildings development standard. A

significant reduction and redistribution of massing will occur with the removal of the projecting roof form and dormers at the eastern end of the dwelling, and proposing lower profile hipped rooflines set well back into the footprint of the dwelling. The bulk and scale of the dwelling is reduced with elevations presenting as two storeys at any point.

- *Existing and new native vegetation, including canopy trees, will be integrated with the development.*

Substantial plantings on the site will be retained and protected. New native plantings are proposed which will enhance the landscape context for the extended dwelling and provide an appropriate and significantly improved native bushland context.

- *Development shall maintain generous spatial separation of the built form and low site coverage on large lots. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandas and the like. Building colours and materials will harmonise with the natural environment.*

Spatial separation is significantly improved to the north with the combined lot development site. The contraction of the upper floor of the dwelling back towards the middle of the site assists with separation from built form to the east. The substantial level changes ensure vertical separation and reduced scale of the remaining structure.

- *Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance.*

The design provides significant stepping through the site which allows the dwelling to retain a two storey presentation, and minimises the bulk of the building as viewed from the wider visual catchment . This is clearly evident on the north elevation below:

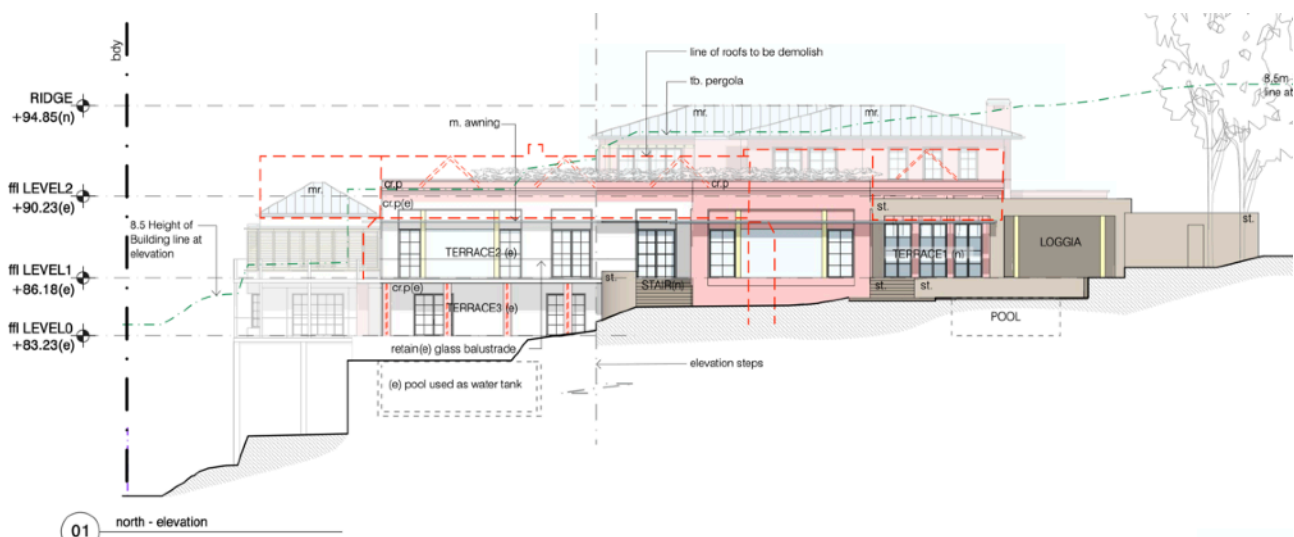


Figure 17: North elevation demonstrates the stepping of the roof forms to limit presentation to two storeys and respond to the sudden level changes to the east and north **Source:** Campbell Architecture

- *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.*

Minimal excavation is proposed on the sensitive site and landforms and landscape have driven the design decisions to locate new structure in either the existing footprint or within the already disturbed and landscaped curtilage of the building. Overwhelmingly, the native canopy is retained and protected, assisting the development to take a secondary role visually and to substantially enhance the biodiversity values of the site as a whole.

D2.6 Rear Building Line

The dwelling will remain non-compliant with the required rear setback of 20m because some existing non-compliant structure and floor space is to be retained. A significant improvement is made however in the extent of compliance with the removal of the high pitched and gabled roof forms and associated floor space over the eastern portion of the dwelling. Whilst an element of noncompliance remains, the height and prominence of that structure is significantly reduced from existing.

D2.9 Landscape Area - Non Urban

Pittwater 21 DCP provides a specific Landscaped Area Control for land zoned R5 Large Lot Residential, as follows:

*Residential development (including dwellings, buildings and structures such as garages, home workshops, storage sheds and the like that are ordinarily incidental or subsidiary to a dwelling) **Minimum Landscaped Area 80% of the site area***

The DCP adopts the LEP definition of Landscaped Area, which is:

***landscaped area** means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.*

The DCP provides some guidance for the calculation of landscaped area on sites with Split Zoning, requiring landscaped area to be calculated on the area zoned R5 only. This only applies however where the alternative zone is RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. As the split zone on 6 Kara Crescent is C4 Environmental Living (which has a lower landscaped area requirement of 60%) a combined calculation could be utilised however for this assessment the required landscaped area requirement has been calculated at the higher rate of 80% for the whole site.

Landscape Area is therefore calculated as follows:

Total Site Area = 8594sqm		
Required landscape area in R5 Zone	6875.2sqm/8594sqm	80%
Existing landscaped area (considering existing dwelling on No. 7 and previous dwelling on No. 6)	5477.7sqm/8594sqm	64%
Proposed landscaped area	5989sqm*/8594sqm	70%

*The proposed area of 5989sqm includes the water surface area of the swimming pool, which is a permitted inclusion in the landscape area calculation due to its potential capacity for fire fighting purposes.

The proposed landscaped area of the proposal is a significant improvement to the existing landscaped area. The proposal returns approximately 512sqm of built upon area to landscaped area compared to the development of each allotment separately. The subsequent reduction of structure is beneficial to the view of the escarpment from within the locality, which is extensive.

Furthermore, it is noted that the driveway forms a large proportion of the non-compliance, being some 658.8sqm in area. The driveway is existing, and in respect to the matters contemplated by the objectives of the control (outlined below) the existing driveway is of little consequence and contributes no three dimensional built form to the site. If the driveway area beyond the 20m front setback line were to be excluded from the calculation, the overall landscaped area would reach 75%. This comparison demonstrates that the three dimensional built form of the dwelling does not represent a gross variation to the control by itself.

Additionally, the contribution the proposal makes to increased flora and fauna habitat is meaningful and highly valued in this sensitive location. Conserving rock outcrops, native canopy trees, and providing substantial additional plantings on the site lifts the biodiversity values when compared with the potential development of the site for two dwellings.

Concentration of the footprint in a central location, and substantial use of the existing structure allows the additional landscaped area to be given back to the natural environment.

Overall and despite the remaining non-compliance, the proposed alterations and additions meet and exceed the outcomes being sought by the landscaped area control, as follows:

Achieve the desired future character of the Locality.

The previous discussion in this statement of the Desired Character as expressed at A4.12 of the DCP demonstrates that the proposal achieves the desired future character of the Bayview Heights Locality.

To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site.

Shadow diagrams demonstrate that no additional shadows will be cast on neighbouring properties as a result of the development

To preserve and enhance vegetation to visually reduce the built form.

Canopy loss has been minimised to one native tree, and additional plantings in place of a second dwelling maximise the biodiversity values on the site.

To minimise the impact of development on Pittwater's biodiversity by minimising the removal of indigenous vegetation and naturally occurring soils, conserving existing significant indigenous and native trees, and encouraging planting of indigenous and native plants and trees on private property.

The minimal excavation, minimal canopy loss, and reduced overall footprint of the proposal allows the valued rock outcropping, context of substantial canopy, and increased and improved flora to be conserved and biodiversity values maximised.

To conserve significant natural features of the site and contribute to effective management of biodiversity.

The significant rock boulders and outcropping on the site are preserved under the proposed design, and biodiversity values substantially increased.

To provide for infiltration of water to the water table, minimise stormwater runoff and assist with stormwater management to reduce and prevent soil erosion and the siltation of natural drainage channels; and,

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

The overall reduced footprint provides a net increase in capacity for infiltration of stormwater on the site.

To preserve and enhance the rural and bushland character of the area.

With an overall reduced footprint and increased plantings, the bushland character of the site will be enhanced.

9.0 **Section 4.15 of Environmental Planning and Assessment Act 1979 Matters for Consideration**

Section 4.15 of the Planning Act requires that the following matters be considered:

Any environmental planning instrument

All relevant SEPP's and PLEP 2014 have been addressed in this statement.

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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

There are no relevant draft instruments that apply to this land or the proposed development.

Any development control plan

The provisions of Pittwater 21 DCP have been considered and addressed in this statement.

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

There is no planning agreement under s.7.4 of the EP & A Act that has been entered into or offered.

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

There are no relevant matters arising from the Regulation in relation to the proposal.

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

The likely impacts of the proposed works have been addressed in this document. The proposed works are unlikely to result in any significant or adverse impacts in relation to privacy for the site or of neighbours, impacts upon sunlight to the site and to neighbours, and view loss from neighbours or the public domain. The proposal is designed to be largely compliant with the provisions of Pittwater LEP 2014 and Pittwater 21 DCP and provides a substantial increase in environmental benefits.

The suitability of the site for the development

The site is suitable for the ongoing residential use and for the works proposed. The proposal will fit comfortably within the sensitive visual and biodiversity context of Bayview Heights, and limits its presence such that the building will remain secondary to the natural landscape.

The subject site is suitable for the proposed development.

The site is zoned for large lot residential development and the proposed works are permissible in this zone and consistent with the zone objectives. The site is therefore considered suitable for the proposed development.

Any submissions made in accordance with this Act or the Regulations

We understand that the application will be notified in accordance with Council's Community Participation Plan and that any submissions made will be taken into consideration as part of the Council's assessment.

The public interest

Being consistent with relevant objectives of Pittwater LEP 2014 and Pittwater 21 DCP, and noting the positive contribution the proposal will make to the Bayview Heights locality, an approval of the proposed works is considered to be in the public interest.

10.0 Conclusion

The proposed alterations and additions to 6-7 Kara Crescent will result in a dwelling that respects its neighbours and its sensitive coastal context, and will be a good fit for the community.

Given there are no detrimental effects on residential amenity or the environment, the development is considered to be consistent with the objectives of the EP&A Act and is worthy of Council's favourable consideration for Development Consent.



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