

STATEMENT OF
ENVIRONMENTAL
EFFECTS
FOR
PROVISION OF DISABLED ACCESS
PLATFORM TO EXISTING
INCLINATOR
AT 159 RIVERVIEW ROAD
AVALON, 2107

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1. INTRODUCTION AND BACKGROUND

This Statement of Environmental Effects has been prepared in support of a Development Application for the provision of a covered disabled parking platform at 159 Riverview Road Avalon. The sole purpose of the proposal is to enable access to be gained to the existing inclinator by the disabled occupant of the dwelling.

My Client, Annie Ross, is disabled due to a fractured spine and requires close, adjacent, undercover access from a vehicle to the existing inclinator at street level. This is the sole reason for this proposal.

Please refer to the letter from my Client's surgeon, Dr Timothy Steel which accompanies this Development Application, for further information relating to my Client's disability.

In the preparation of this Statement of Environmental Effects, consideration has been given to the following documents which are attached to this Development Application:

- Letter from Dr Timothy Steel, Surgeon for owner
- Plans of the proposal prepared by Terroir Architects.
- Pittwater Local Environmental Plan 2014;
- Pittwater 21 Development Control Plan.
- Northern Beaches Council Disability Inclusion Action Plan 2017-2021
- Planning Principles of the NSW Land and Environment Court.
- Root Mapping Report by Catriona McKenzie, Arborist
- Survey Report
- Access Report by GTK Consulting
- Geotechnical Report by Hodgson Geotechnical
- Disabled Access Permit

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During the preparation of this Statement of Environmental Effects, I have attended the subject site and the surrounding locality to gain an understanding of the proposal and its future relationship with the streetscape and the immediate surrounding sites.

I am satisfied that the proposal as submitted will provide disabled access for the disabled occupant in a manner that will not result in any loss of landscaping, impacts on the existing Spotted Gum and will enable vehicles to safely enter and leave the subject site.



Location of proposed Disabled Access Platform. Note that existing tree remains unaffected

2.0 SITE AND LOCALITY



Subject Site highlighted (SIX Maps)

The subject site is known as No.159 Riverview Road Avalon (Lot 1 DP 1035682) and contains an existing dwelling located centrally on the steeply sloping lot with a garage located at the Riverview Road frontage along with an existing inclinator from the Riverview Road frontage to allow access to the existing dwelling.

The area between the existing inclinator platform and the existing garage is the subject of this development application being lodged to enable a disabled access platform to be constructed within this area, directly adjacent to the existing inclinator platform.



Subject site viewed from Riverview Road

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Adjacent site at 161 Riverview Road showing similar platform to access inclinator

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**Nearby structures at 161 Riverview Road with inclinor access platform similar
to proposal**

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Nearby garages and carport in Riverview Road to the south of the subject site

3.0 HISTORY

The proposal was the subject of a previous application (DA 2018/1420) involving a similar scope of works which was refused by Council on the 12 of December 2018. The current application has taken into account Council's previous reasons for refusal. Addressed these concerns and amended the proposal in order to satisfy Council's concerns.

Below is a summary of the concerns of Council outlined in the Planning Assessment Report associated with the previous DA;

Zone E4 Environmental Living

The development proposed is found to be inconsistent with the following Outcomes of the E4 Environmental Living zone:

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

Comment

The proposed development is likely to have a detrimental impact on significant vegetation on the site, as detailed in the Landscape Officer and Biodiversity comments elsewhere in this report.

The documentation accompanying the proposed structure contains insufficient information for Council to be satisfied that the development will integrated with the landform and landscape and be consistent with surrounding developments.

RESPONSE

The current application ensures that the proposed works will not have a detrimental impact on existing significant vegetation. This assessment is reinforced by the Root Mapping Report prepared by Catriona Mackenzie, Arborist dated 28 August 2019 which accompanies the current application.

The plans accompanying the current application confirm that the location of the proposed structure is integrated with the landform and landscape and is entirely consistent with similar structures located on adjoining sites.

7.2 Earthworks

Council's Landscape Officer has identified that the proposed modifications / removal to the existing sandstone retaining wall and the subsequent earthworks may cause detrimental damage to the large Spotted Gum located at the front of the property.

Accordingly, the earthworks proposed are considered likely to disrupt vegetation on the site and on Council Road Reserve. No Owner's Consent has been furnished to permit earthworks on Council Road Reserve.

RESPONSE

The current proposal does not require the removal of any sandstone retaining wall. The proposal includes the removal of approximately 200 mm of the concrete plinth (which forms the base of the current timber picket fence) to achieve vehicular access at a level grade to the proposed platform. NOTE: Please refer to Terroir Architects Plans: DA-02 Platform Street Elevation (p.3): which shows the 200mm section of concrete plinth to be removed, highlighted in PINK.

Further to this, the proposal and associated earthworks, as confirmed by Catriona Mackenzie, will not have a detrimental impact on the large spotted gum located at the front of the property. Please refer to the Root Mapping Report that accompanies the current DA.

The application is accompanied by a Geotechnical report which confirms that the proposed earthworks will not have a detrimental impact upon existing site conditions.

B6.1 Access driveways and Works on the Public Road Reserve

The proposed development site has a street frontage of less than 30m and is therefore entitled to have only one access driveway. Council's Development Engineer has recommended that refusal of the application on this basis.

Additionally, the application seeks substantial works on the public road reserve and is not accompanied by any Owner's Consent for the works. The application cannot be approved without the Owner's Consent for these works and therefore, this matter is included as a reason for refusal of the application.

RESPONSE

Whilst the site frontage is 22.85m. it should be reinforced that the proposal does not include a concrete vehicle cross over and access way to the proposed disabled parking platform. The access to the parking platform will be consistent with the existing material evident along the frontage of the site, being a compacted crushed permeable service.

The proposal is entirely consistent with similar development on the immediately adjoining site that incorporates both a garage and a parking platform. The current proposal does not require significant works within the Council Road Reserve. The immediately adjoining property at 161 Riverview Road contains the following structures immediately adjoining the site frontage;

- Enclosed Garage.
- Covered parking platform.
- Inclinator directly accessed by disabled owner from covered parking platform.

Whilst no new vehicle cross over is proposed, the proposal allows integration of the road levels and slab levels to afford suitable access gradients whilst not impacting upon the significant tree located near the subject proposal.

C1.3 View Sharing

From the public domain and Road Reserve on Riverview Road presently available is largely uninterrupted views of the Pittwater Waterway atop of the existing dwelling house and between large trees.

The development application provides insufficient information for Council to be able to accurately ascertain the level of public view loss from the road reserve, and thereby cannot be satisfied that the development achieves consistency with the Outcomes of C1.3 View Sharing or with the LEC Planning Principle of Rose Bay Marina. As insufficient information has been provided to ascertain this, the application is recommended for refusal.

RESPONSE

The current application is for an open sided, light weight structure which has had the roof raised to a height of 2.84m in order to ensure the retention of views from the public domain, being the road reserve on Riverview Road. Further to this, due to the landform on the opposite side of the road, views from nearby properties will be maintained due to the elevated nature of the land.

The existing front fencing is to be retained and incorporated into the proposed design, resulting in the only visible additional structures being the proposed roof form and support posts. As outlined above, this roof structure will not impact upon existing views.

It is requested that a condition of consent be imposed to prevent the enclosure of or the storage of any material, including garbage receptacles, on the subject platform.

D1.8 Front building line

The proposed access platform, associated fencing and roofing encroaches within Council's Road Reserve by up to 901mm. No Owner's Consent has been issued by Council to allow for this encroachment and accordingly, the development cannot be supported.

Additionally, the development as proposed is found to be inconsistent with the following

Outcomes of D1.8 Front building line:

- To achieve the desired future character of the Locality.*
- The amenity of residential development adjoining a main road is maintained.*
- Vegetation is retained and enhanced to visually reduce the built form.*
- Vehicle manoeuvring in a forward direction is facilitated.*
- To encourage attractive street frontages and improve pedestrian amenity.*
- To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

Comment

The addition of a third car space (access platform) along the front boundary of the property is inconsistent with the character of the Locality by virtue of dominating the street frontage with built structures as opposed to landscaping. As discussed elsewhere in this report, the long-term retention viability of landscaping at the front boundary is low, and thereby detracts from the bushland character of Riverview Road and the Locality.

Accordingly, the application is not supported and is recommended for refusal.

RESPONSE

All required works in the Council Road Reserve will be the subject of a separate Section 138 Approval. This should be the subject of a condition of consent in order to ensure that this approval is obtained prior to the issuance of a Construction Certificate. All existing works within the road reserve have been the subject of previous Section 138 Approvals

The current proposal is considered consistent with the character of the locality. The proposal is a light weight, open sided structure and will not unreasonably inhibit existing views from the road reserve. Further to this, the current proposal does not require the removal of any trees or significant vegetation and will not have a detrimental impact upon the health of existing trees, as confirmed in the accompanying Root Mapping Report by Catriona Mackenzie.

4.0 THE PROPOSAL

The proposal seeks consent for the following –

Construction of a suspended steel and concrete platform for disabled access to existing inclinator platform. The sole purpose of the application is to provide direct access for the disabled owner to the existing inclinator on-site.

The subject platform is to be 6.635 metres deep and 3.4 metres in width comprising a reinforced concrete platform supported by two steel posts with roof over.

Fencing, incorporating an access gate, is to match the existing fencing as shown below.



Location of proposed platform at the same level as the inclinator platform

The existing tree and landscaping will be retained. Please refer to the Root Mapping Report prepared by Catriona Mackenzie which accompanies this DA for further confirmation regarding the retention of significant vegetation.

5.0 PLANNING ASSESSMENT

5.1 Pittwater Local Environmental Plan 2014

Zoning

The subject site is zoned E4 Environmental Living under the PLEP and the proposal will satisfy the E4 Environmental Living zone Objectives by limiting the extent of works to the current cleared area of the subject site, will not hinder the proper and orderly development of the area and will retain the site landscaping and significant tree. Please refer to the Arborist Report which accompanies this DA for further confirmation regarding the retention of trees and significant vegetation.

4.3 Height of buildings

- (1) *The objectives of this clause are as follows:*
 - (a) *to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
 - (b) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
 - (c) *to minimise any overshadowing of neighbouring properties,*
 - (d) *to allow for the reasonable sharing of views,*
 - (e) *to encourage buildings that are designed to respond sensitively to the natural topography,*
 - (f) *to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*
- (2) *The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*
- (2A) *Despite subclause (2), development on land:*
 - (a) *at or below the flood planning level or identified as "Coastal Erosion/Wave*

Inundation” on the Coastal Risk Planning Map, and

- (b) that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map,*
- (c) may exceed a height of 8.5 metres, but not be more than 8.0 metres above the flood planning level.*

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

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

RESPONSE

As previously discussed, the roof form has been raised to ensure the retention of public views from the streetscape. This amendment will still fall well below the maximum height control for the site.

The proposal has been crafted to respect the achievement of the desired future character of Avalon Beach by allowing the views to Pittwater from the adjacent footway in Riverview Road to be maintained by a structure that is “see through” in accordance with Councils desire for structures along Riverview Road. The proposal is an open structure made of light weight materials.

The proposal when completed, will be significantly below the 8.5metre height limit.

5.9 Preservation of trees or vegetation

(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.

RESPONSE

In order to ensure that the proposed disabled access platform does not impact upon any significant trees or vegetation on the subject site or on Council land, the applicant has commissioned the services of qualified and experienced arborist.

The DA is accompanied by a Root Mapping Report prepared by Catriona Mackenzie, Arborist that confirms the following;

“Based on the root mapping investigation for the location of the proposed column, it is my opinion it is highly unlikely any significant woody tree roots belonging to Tree 1 will be disturbed or damaged during piercing and installation of the southern column.”

The proposal, if carried out in accordance with the recommendations of the attached report by Urban Forestry Australia will be able to be carried out to preserve the mature species of spotted gum located adjacent to the front boundary of the subject site.

Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

RESPONSE

The accompanying Geotechnical Report by Hodgson confirms that the works proposed will not result in any adverse geotechnical impacts to the subject site and surrounds.

The current proposal does not require the removal of any sandstone retaining walls.

Other associated earthworks are limited to the structural requirements for the proposed parking structure which have been limited to two posts and associated piers.

6. Biodiversity

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

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

RESPONSE

The proposed works on the subject site will not result in any material loss of biodiversity as the works are contained within the area currently encompassed by the existing landscaped area whilst retaining the existing spotted gum. As confirmed by the Tree Mapping Report which accompanies this DA, the proposal will not detrimentally impact upon the health of the existing spotted gum. The proposed works do not require the removal of any existing trees or significant vegetation.

7. Geotechnical hazards

- (1) *The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:*
- (a) *matches the underlying geotechnical conditions of the land, and*
 - (b) *is restricted on unsuitable land, and*
 - (c) *does not endanger life or property.*
- (2) *This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.*
- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks:*
- (a) *site layout, including access,*
 - (b) *the development’s design and construction methods,*
 - (c) *the amount of cut and fill that will be required for the development,*
 - (d) *waste water management, stormwater and drainage across the land,*
 - (e) *the geotechnical constraints of the site,*
 - (f) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of*

the development.

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

RESPONSE

The subject proposal has been examined by Hodgson Geotechnical, the Applicants' geotechnical engineers who have provided a report accompanying this application to assist Council in its assessment of the proposal and to ensure that the ongoing stability of the site and surrounding locality is maintained.

This report concludes that (subject to appropriate safeguards) the proposal is able to be completed without any significant risk to the subject or adjacent sites due to landslip or the like.

Conditions of consent are recommended by Hodgson to be incorporated within the development consent to ensure that the recommended safeguards contained within the report are adopted.

5.2 Pittwater 21 Development Control Plan

B3.1 Landslip Hazard Outcomes

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

RESPONSE

The proposal has been examined by the Applicant's geotechnical engineer (Hodgson Geotechnical) who have concluded that the proposal will satisfy the above outcomes by providing recommendations to be incorporated within any development consent for the ongoing stability of the site and its surrounds.

B3.6 Contaminated Land and Potentially Contaminated Land

Outcomes

Protection of public health.

Protection of the natural environment. Successful remediation of contaminated land.

RESPONSE

The subject site has historically been used for residential purposes and there is no evidence of the importation of any contaminated material.

B4.22 Preservation of Trees and Bushland Vegetation

Outcomes

- *To protect and enhance the urban forest of the Northern Beaches.*
- *To effectively manage the risks that come with an established urban forest through professional management of trees.*
- *To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.*

- *To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.*
- *To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.*
- *To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.*

RESPONSE

The proposal has been mindful of the environmental value of the existing mature tree specimen on the subject site primarily below the retaining wall fronting the subject site.

The proposal has been examined by Urban Forestry Australia to provide advice on tree protection methods to be employed to allow the ongoing preservation of the tree.

Further to this, a Tree Mapping report has been prepared which confirms the retention and health of the spotted gum when assessed against the proposal.

B5.4 Stormwater Harvesting

Outcomes

Minimise quantity of stormwater runoff.

Minimise surcharge from the existing drainage systems.

Reduce water consumption and waste in new development.

Implement the principles of Water Sensitive Urban Design

RESPONSE

Stormwater falling on the subject roof will be collected by the existing stormwater management system to control the stormwater discharge into the receiving environment.

B6.1 Access Driveways and Works on the Public Road Reserve - Low Density Residential

Outcomes

Safe and convenient access.

Adverse visual impact of driveways is reduced. Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation in the road reserve.

RESPONSE

Whilst no new vehicle cross over is proposed, the proposal allows integration of the road levels and slab levels to afford suitable access gradients whilst not impacting upon the significant tree located near the subject proposal.

B6.3 Off-Street Vehicle Parking Requirements - Low Density Residential

Outcomes

Safe and convenient parking.

Controls

On-Site Car Parking Requirements

The minimum number of vehicle parking spaces to be provided for off- street parking is as follows:

<i>Category</i>	<i>Minimum number of spaces</i>
<i>Large dwelling (2 bedrooms or more)</i>	<i>2 spaces</i>

RESPONSE

The proposal is in accordance with the above Control as the proposal incorporates safe and convenient carparking for three vehicles in a manner that allows disabled access for residents and visitors. The proposal has the sole purpose of seeking suitable access for the disabled owner to the existing inclinator.

B8.1 Construction and Demolition - Excavation and Landfill

Outcomes

Site disturbance is minimised.

Excavation, landfill and construction not to have an adverse impact. Excavation and landfill operations not to cause damage on the development or adjoining property.

RESPONSE

Construction and demolition works on the subject site are limited to the footprint of the proposed platform. Minimal excavation is required for the proposed structure.

B8.2 Construction and Demolition - Erosion and Sediment Management

Outcomes

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

Reduction of waste throughout all phases of development. Public safety is ensured.

Protection of the public domain.

RESPONSE

The subject site will be provided with sediment and erosion control devices prior to the commencement of the subject works to prevent the migration of sediment off site.

B8.4 Construction and Demolition - Site Fencing and Security

Outcomes

Ensuring public safety.

Protection of public domain.

Prior to the commencement of any site works, the subject site will be fenced with a 1.8 metre fence and sediment and erosion control fencing to prevent unauthorized access and prevent sediment migrating off site.

RESPONSE

The subject site works will be contained within a fenced enclosure for the duration of the demolition and construction works.

B8.6 Construction and Demolition - Traffic Management Plan

Outcomes

Minimal disturbance to the residential community.

Protection of Roads.

RESPONSE

Due to the scale of the proposal, a traffic management plan is not required. An Access Statement was prepared by GTK Consulting who made the following conclusion for the application;

“The proposed disabled access inclinator threshold structure at 22 Riverview Road, Avalon Beach is considered to meet the requirements of the relevant standard and accepted traffic engineering practice. In the professional opinion of the author, the proposal is worthy of Council’s approval.”

C1 Design Criteria for Residential Development

C1.1 Landscaping

Outcomes

A built form softened and complemented by landscaping.

Landscaping reflects the scale and form of development.

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

Development results in retention of existing native vegetation.

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

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

Landscaping enhances habitat and amenity value.

Landscaping results in reduced risk of landslip.

Landscaping results in low watering requirement.

RESPONSE

The proposal will provide for a landscaped area below that will achieve satisfaction of the above control.

The following photograph shows the location of the subject platform and shows existing landscaping which will be preserved and augmented as well as the mature Spotted Gum which will be protected and preserved as advised in the accompanying arborist report and Tree Mapping Report by Urban Forestry Australia.



Location of proposed platform showing existing landscaping to be preserved and augmented.

C1.3 View Sharing

Outcomes

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.

Canopy trees take priority over views.

RESPONSE

The proposal has been crafted to provide a visually permeable structure to allow views across the structure to Pittwater from Riverview Road. The roof structure has been raised in order to ensure that the retention of public views from the street are achieved.

C1.4 Solar Access

Outcomes

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.

RESPONSE

The subject proposal will not reduce solar access to private open space and there will be no overshadowing across any boundaries.

C1.5 Visual Privacy

Outcomes

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

A sense of territory and safety is provided for residents.

RESPONSE

Visual privacy will not be impeded by the proposed use of the structure.

C1.6 Acoustic Privacy

Outcomes

Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.

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

RESPONSE

The layout and use of the proposal is such that acoustic disturbance is unlikely as the approved use of the inclinator will remain unchanged.

C1.7 Private Open Space

Outcomes

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

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

Private open space receives sufficient solar access and privacy.

RESPONSE

The subject site will not reduce the quantum of private open space.

D1.1 Character as viewed from a public place

Outcomes

To achieve the desired future character of the Locality.

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

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

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

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'.

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

RESPONSE

The proposal has been crafted to ensure that the scale of the platform is a subservient element in the locality and views across the platform are not unreasonably affected.

This has further been ensured by the lifting of the roof structure to provide for greater retention of views from the public streetscape. Further to this, due to the topography of land on the opposite side of the road, all views from surrounding properties will be retained.

D1.5 Building colours and materials

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape.

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

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

The visual prominence of the development is minimised. Damage to existing native vegetation and habitat is minimised.

RESPONSE

Colours and finishes will match the existing approved inclinator platform.

D1.8 Front building line

Outcomes

Achieve the desired future character of the Locality.

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

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

Vegetation is retained and enhanced to visually reduce the built form. Vehicle manoeuvring in a forward direction is facilitated.

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

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

To encourage attractive street frontages and improve pedestrian amenity.

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

RESPONSE

The proposal incorporates a nil setback to the Riverview Road frontage, consistent with Council's controls. All works located within Council's Road Reserve will be the subject of a separate Section 138 and 139 Approval prior to the issuance of a Construction Certificate.

D1.11 Building envelope Outcomes

To achieve the desired future character of the Locality.

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment. To ensure new development

responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised.

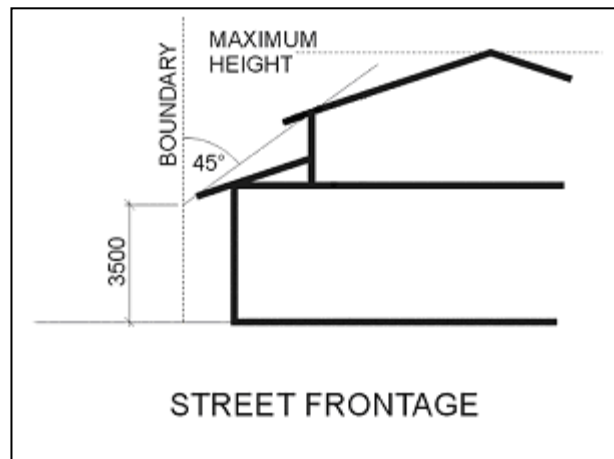
Equitable preservation of views and vistas to and/or from public/private places.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.

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

Controls

Buildings are to be sited within the following envelope:



RESPONSE

The proposal is fully compliant with the Building Envelope Control as illustrated above.

D1.14 Landscaped Area – Environmentally Sensitive Land

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

A reasonable level of amenity and solar access is provided and maintained.

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

Conservation of natural vegetation and biodiversity.

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

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

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

RESPONSE

The proposal provides for a landscape area that is consistent with the existing quantum of landscaping approved under the most recent Development Application for the subject site.

D1.17 Construction, Retaining walls, terracing and undercroft areas

Outcomes

To achieve the desired future character of the Locality. To protect and minimize disturbance to natural landforms.

To encourage building design to respond sensitively to natural topography

RESPONSE

The proposal will minimise disturbance to natural landforms as the proposed platform will be suspended over the landform and associated landscaping will be retained. No removal of existing sandstone retaining walls is required.

D1.20 Scenic Protection Category One Areas

Outcomes

To achieve the desired future character of the Locality.

Achieve the desired future character of the Locality.

To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront.

Maintenance and enhancement of the tree canopy.

Colours and materials recede into a well vegetated natural environment.

To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component

To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.

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

To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.

Development shall minimise visual impacts on the natural environment when viewed from any waterway, road or public reserve

RESPONSE

The proposal will be consistent with the Riverview Road visual catchment which is typified by structures of this size and location however, this structure will be open to allow views through the completed structure.

This location enables the site disturbance to be minimized and will result in the remnant bushland remaining the predominant feature of the visual catchment with a visually permeable built form to retain the majority of the view corridor across the subject site.

6.0 SECTION 4.15 Evaluation

8. Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

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

RESPONSE

The relevant provisions of the PLEP have been addressed in the body of this Statement.

(iii) any development control plan,

RESPONSE

The relevant provisions of the Pittwater 21 DCP have been addressed in the body of this Statement.

and

(iiia) 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,

RESPONSE

No planning agreements apply to the proposal

and

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

RESPONSE

The relevant regulations have been given due regard in the construction of this Statement.

and

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

RESPONSE

The body of this Statement describes the potential impacts upon the natural and built environments and the mechanisms to be incorporated to reduce or prevent these impacts

(c) the suitability of the site for the development,

RESPONSE

The subject site, by virtue of its existing layout, topography and locality is suitable for the proposal

(d) any submissions made in accordance with this Act or the regulations,

RESPONSE

Any submissions received in response to Councils notification of the proposal will be considered as part of Councils assessment of the proposal.

(e) the public interest.

RESPONSE

The proposal endorses the public interest by developing a part of the subject site which has been disturbed whilst allowing the majority of the remnant bushland to remain.

(2) Compliance with non-discretionary development standards—development other than complying development

If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

(a) is not entitled to take those standards into further consideration in determining the development application, and

(b) must not refuse the application on the ground that the development does not comply with those standards, and

© must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

(3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:

(a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and

(b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard. Note. The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

© may consider those provisions only in connection with the assessment of that development application. In this subsection, standards include performance criteria.

(4) Consent where an accreditation is in force

A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.

(5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).

(6) Definitions

In this section: (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and (b) non-discretionary development standards means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

Environmental Planning Instruments

The proposal is a permissible use in the R5 Large Lot Residential zone.

Development Control Plans

This is addressed in the body of this SEE.

Impact on the Natural Environment.

The proposal is unlikely to unreasonably impact upon flora and fauna, soil or water quality, air quality or the conservation of natural resources due to the sensitive location of the works which will ensure the retention of the remnant bushland on the subject site.

Impact on the Built Environment.

Scenic qualities – the proposal is consistent with the current and future character of the locality as expressed within the provisions of the Pittwater Local Environmental Plan 2014 and the Avalon Beach Locality Desired Future Character as expressed within Pittwater 21 Development Control Plan.

Compatibility with adjacent land uses – The proposal is for a residential use, compatible with surrounding residential uses.

Impact on the Social and Economic Environment.

The proposal is unlikely to result in any negative social or economic impacts.

Suitability of the Site.

The subject site, by virtue of its existing development, topography and locality is suitable for the proposal.

7.0 CONCLUSION

The proposal as submitted has been sensitively crafted to provide an essential aid to serve a site owner who is disabled.

The need for such an essential element is reflected in Northern Beaches Councils current Disability Inclusion Action Plan wherein the need for access for disabled persons is becoming a paramount objective for the evolving demographic of the Northern Beaches to gain ready access to all buildings, both public and private.

The proposal is mindful of the need to ensure that the disturbance of the subject site is generally limited by the construction of a suspended disabled access platform which will preserve the topography, landscaped area and the mature specimen of Spotted Gum adjacent to the location of the structure.

Views will be available across the subject structure and there will be no loss of on street parking and it is my view that the proposal is worthy of conditional consent.

LANCE DOYLE

M.Plan (UTS), B.App Sc. (UWS) MPIA

October 2019

8.0 COMPLIANCE TABLE

CONTROL	STANDARD	PROPOSAL	COMPLIANCE
Zoning	E4 Environmental Living	Permissible	Yes
4.3 Height of Buildings	8.5m	Significantly below 8.5m.	Yes
7.1 Acid Sulfate Soils	Class 5	Minimal disturbance	Yes
7.2 Earthworks	Ensure that earthworks do not have an adverse impact upon environmental processes and	Earthworks limited to two pier holes	Yes
7.6 Biodiversity Protection	Protect native flora and fauna	Landscaping retained	Yes
7.7 Geotechnical Hazards	Geotechnical Report required	See report attached	Yes

**Statement of Environmental Effects for Disabled Access Platform
159 RIVERVIEW ROAD AVALON BEACH**

CONTROL	STANDARD	PROPOSAL	COMPLIANCE
SITUATED 24 DEVELOPMENT CONTROL PLAN			
Section B General			
B1.3 Heritage Conservation –	N/A		N/A
B1.4 Aboriginal Heritage Significance		Development limited to existing disturbed area	N/A
B3.1 Landslip Hazard	Geotech Report	See attached	Yes
B3.6 Contaminated Land & Potentially Contaminated Land	SEPP 55	Unlikely due to the historical residential uses of the site	Yes
4.22 Preservation of Trees and Bushland	To protect and enhance the urban forest of the	See Landscape Plan	Yes
B 5.1 Water Management Plan	Effective management of all water and wastewater	Stormwater connected to existing	Yes
B5.3 Greywater Reuse			N/A
B5.4 Stormwater Harvesting	Minimise quantity of stormwater	Stormwater connected to	Yes
B6.1 Access Driveways and Works on the Public Road Reserve	Safe and convenient access.	Additional access required for disabled platform	Yes
B6.2 Internal Driveways	Safe and convenient access	Additional accessway, no driveway.	Yes

**Statement of Environmental Effects for Disabled Access Platform
159 RIVERVIEW ROAD AVALON BEACH**

B6.3 Off-Street Vehicle Parking Requirements	Two required	➤ Three provided	Yes
B8.1 Construction and Demolition- Excavation and Landfill	Site disturbance is minimised.	Excavation generally limited to two pierholes	Yes
B8.2 Construction and Demolition- Erosion and Sediment Management	Sediment and erosion control devices/fencing to be provided	Minimal excavation however sediment control devices will be in place during all works	Yes
B8.3 Construction and Demolition- Waste Minimisation		Waste Management Plan, recycling where	Yes
B8.4 Construction and Demolition- Site Fencing and Security		Site to be fenced prior to any works commencing	Yes
B8.5 Construction and Demolition- Works in the Public Domain			Driveway crossings only
B8.6 Construction and Demolition- Traffic Management Plan	N/A		Not required

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Section C Development Type Controls			
C1.1 Landscaping	60%	60%	Yes
C1.2 Safety and Security	On-going safety and security of the Pittwater community	Safety incorporated into design	Yes
C1.3 View Sharing	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. Canopy trees take	Public and private views protected by the proposal being well below the sightline from public areas and visually permeable.	Yes
C1.4 Solar Access	Residential development is sited and designed to maximise solar access during	3 hours of sunlight to private open space	Yes
C1.5 Visual Privacy	Habitable rooms and outdoor living areas of dwellings optimise visual privacy through	Privacy protected by design and spatial separation	Yes

**Statement of Environmental Effects for Disabled Access Platform
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C1.6 Acoustic Privacy	Noise is substantially contained within each dwelling and noise from any communal or private open space areas are	Acoustic privacy protected by design and spatial separation	Yes
C1.7 Private Open Space	Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the	Existing	Yes
C1.12 Waste and Recycling Facilities	Waste and recycling facilities are accessible and convenient, and integrate with the development	Domestic scale only	Yes
C1.13 Pollution Control	Development that does not adversely impact on public health, the environment or other lands		Yes
C1.14 Separately Accessible Structures	N/A		
C1.24 Public Road Reserve – Landscaping and Infrastructure	Vehicular accessway		Yes
C1.25 Plant, Equipment Boxes and Lift Over-Run	To achieve the desired future character of the		N/A

**Statement of Environmental Effects for Disabled Access Platform
159 RIVERVIEW ROAD AVALON BEACH**

Section D Locality Specific Development Controls			
D 5.1 Character as viewed from a public place	To achieve the desired future character of the Locality	Low key and sensitive to the outcomes of the desired future character	Yes
D 5.2 Scenic Protection -	To achieve the desired future character of the Locality	Low key and sensitive to the outcomes of the desired future character and preserving	Yes
D 5.5 Front building	Nil for parking	Nil	Yes
D 5.6 Side and rear	Nil		Yes
D 5.7 Building	45degree angle at	Well within the	Yes
D 5.10 Landscaped area	60% landscaped area	Existing	Yes
D.12 Fences- General		Match existing	Yes