

untapped **PLANNING**

Statement of Environmental Effects

“Alterations and Additions to existing Dwelling”

163 Wallumatta Rd Newport

Lot 12 DP 1148283

Prepared for: Jessica Jobe

Ref: 032101

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1. Executive Summary

1.1 Introduction

Untapped Planning has been commissioned by Jessica Jobe to prepare a Development Application (DA) and accompanying Statement of Environmental Effects for proposed alterations and additions to an existing dwelling on Lot 12 DP 1148283 at 163 Wallumatta Road, Newport.

1.2 Site Details

The subject site comprises Lot 12 DP 1148283 with a street address 163 Wallumatta Road Newport.

The site has a total combined area of approximately 714m², with a street frontage of 15.59m to Wallumatta Road. Access to the site is via an existing driveway directly addressing Wallumatta Road.

The site is zoned E4 – Environmental Living under the Pittwater Local Environmental Plan (LEP) 2014.

Development for the purposes of a Dwelling and ancillary structures are permissible within the zone, with the consent of Council.

The following plan shows the site location in the context of the local area.

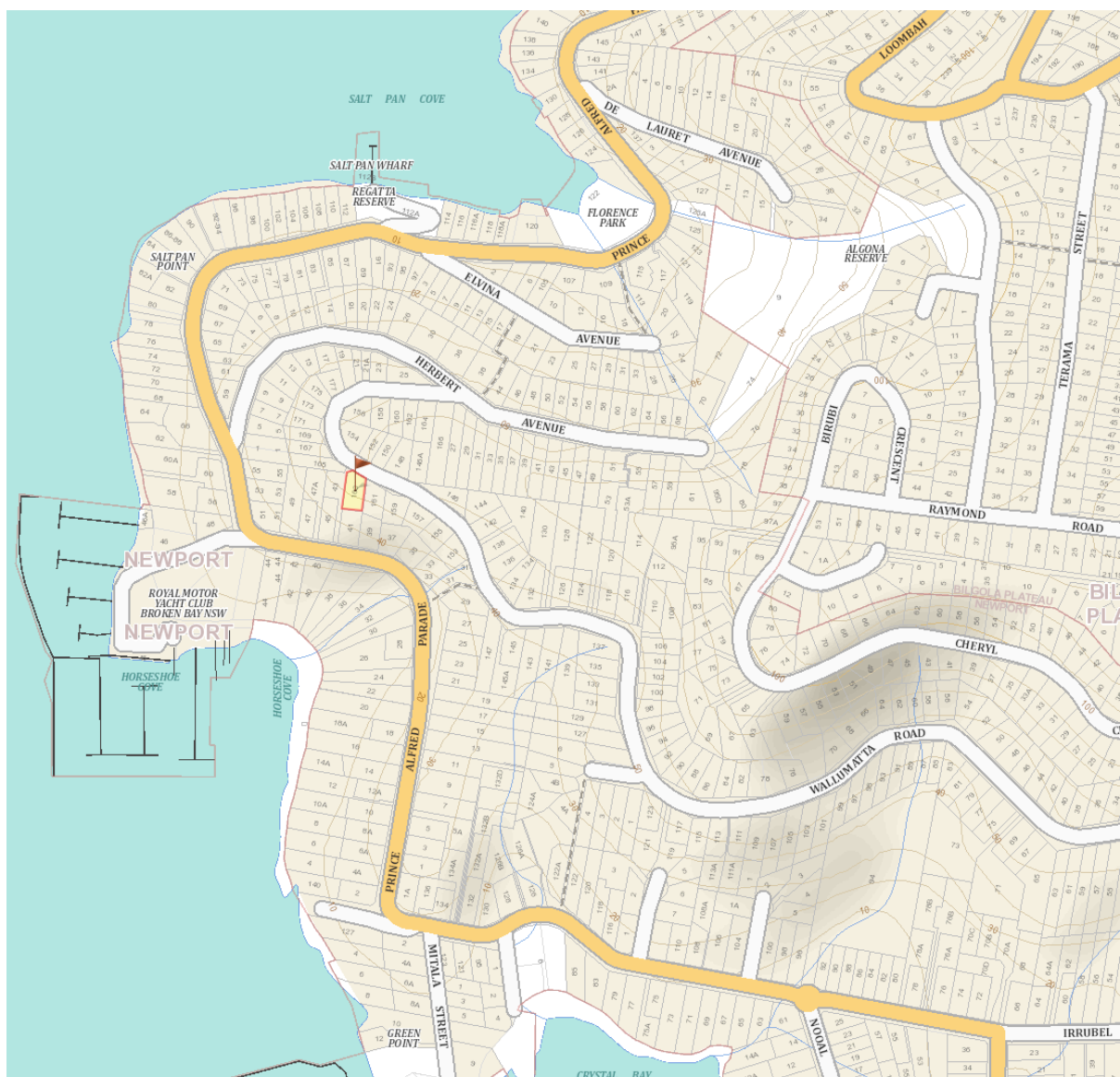


Figure 1: Locality of the subject site.

1.3 Purpose of the Report

This Statement of Environmental Effects (SoEE) has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act and accompanying Regulation.

Its purpose is to:

- describe the proposed development;
- identify and summarise the relevant controls which guide assessment of the proposal;
- provide information on the site and its context; and
- review the key issues associated with the proposal to aid in assessment by the Consent Authority and other relevant authorities.

Consideration has been given to the Council's guidelines in preparing this Statement of Environmental Effects as well as the full range of other relevant legislation and development guidelines.

2. Proposed Development

2.1 Proposal Objectives

The objective of the proposed development is to seek approval for the alterations and additions to an existing dwelling on the subject allotment.

2.2 Summary of Development

The proposed development involves;

- Second Storey Addition
 - Living Room
 - Dining Room
 - Kitchen
 - Mudroom/Laundry
 - New Dwelling Entrance
 - Balcony
- First Floor Alterations
 - Bedroom 1 with ensuite and Walk In Robe
 - Bedroom 2, 3 and 4
 - New stairs to 2nd floor
- Ground Floor Alterations
 - Minor wall modifications
- New Pool

3. Characteristics of the Site and Locality

3.1 The Site

The subject site comprises Lot 12 DP 1148283, and is known as 163 Wallumatta Road, Newport.

The site has a combined total area of approximately 714m², with a frontage of 15.59m to Wallumatta Road.

Existing on the site is a residential dwelling house. Vehicle parking is within an existing double carport at street level.

The site falls steeply to the south away from the street frontage and large canopy trees are scattered over the site.

Given the nature of the development, minimal site modification will be required to facilitate the alterations and additions. It is considered that the development will not impact on the existing streetscape or area character.



Figure 2: Subject Site

3.2 The Locality

The subject site is located on the southern side end of Wallumatta Road.

The general area is moderately vegetated with large canopy forming trees.

The immediate locality is characterised by a mix of new and older single dwellings in vegetated surrounds. The proposed alterations are minor in nature and will match the existing building to ensure that the proposal is unlikely to present any detrimental visual impact when viewed from Wallumatta Road or surrounding allotments.

Further, as the development is modifications to existing structure, no large vegetation will be required to be removed and the vegetated character of the area can be maintained.

The following figure shows the location of the subject site within its immediate local context.



Figure 3: Aerial Photo.

3.3 Land Uses

The subject site currently contains a two storey brick and timber residential dwelling.

The site is moderately vegetated within the front and rear setbacks. This vegetation is proposed to be retained.

3.4 Topography

The site is considered to steep, falling sharply to the south away from the street frontage.

3.5 Contamination and Geotechnical Considerations

3.5.1 Contamination

The site is not known to have any past contaminating uses.

3.5.2 Acid Sulfate Soils

The subject site is identified as containing potential Acid Sulfate Soils, class 5.

The development represents an alteration and addition to the existing dwelling. The earth surrounding the dwelling will be undisturbed as the development represents changes to the existing structure.

The development will not lower the water table, nor will it result in the disturbance of Acid Sulfate Soils and as such no further assessment of Acid Sulfate Soils is considered necessary.

3.5.3 Land Slip

The development site is identified on the Geotechnical Hazard Map – Sheet GTH_017 as being within the H1 Geotechnical Hazard Zone.

A Geotechnical Assessment has been prepared by Ascent Geotechnical Consulting. The report has concluded that the proposed development is suitable for the site and that no significant geotechnical hazards will result from the development so long as the recommendations in Section 3.6 of the report are adhered to.

3.6 Vegetation

Vegetation on the subject consists of several large trees in the front and rear building setbacks. This vegetation is proposed for retention.

The general siting of the additions and alterations will not require that any substantial vegetation be removed.

3.7 Bushfire

The development site is not noted as being bushfire prone.

3.8 European and Aboriginal Archaeological Heritage

The site is not known to contain any items of European heritage significance, nor is it located within a heritage conservation area.

The site is not known to contain any items of Aboriginal archaeological significance.

3.9 Traffic, Access and Road Network

The site is located on Wallumatta Road, Newport. Access off Wallumatta Road is via an existing concrete drive carport on street frontage.

Given the minor scale of the development and the fact that no amplification of the site's use is proposed, it is not anticipated that there will be any adverse impacts to traffic levels in the locality as a result of the proposal.

3.10 Coastal Zone

The development site is not subject to the provisions of the NSW Coastal Policy.

3.11 Services and Utilities

The site is currently serviced with both reticulated water and sewer.

3.12 View Sharing

The Land and Environment Court has established "planning principles" in relation to impacts on views from neighbouring properties. In *Tenacity Consulting P/L v Warringah Council* (2004) NSWLEC 140 Roseth SC, states that "the notion of view sharing is involved when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment".

While it would not be reasonable to completely eliminate a property's views without consideration of mitigating measures, in some circumstances this may be acceptable. In the case of this development, the allotment to the west, number 152 Wallumatta, enjoys a 180 degree vista with some views enjoyed directly across the subject allotment.

The proposal will result in the blocking of some views to the south across the allotment when viewed from street level. The proposed new roof ridge level will sit some 1.645m vertically below the ridge of the existing carport ridge.

In deciding whether or not view sharing is reasonable, Commissioner Roseth set out a 4 step assessment in regards to 'reasonable sharing of view'. The steps are as follows:

- 1) Description and assessment of views to be affected by proposal and the value of these views.
- 2) Ascertain whether view retention expectations are realistic. Consider from what part of the property the views are obtained.
- 3) Assess the extent of the impact for the whole property. The impact should be qualified on a scale from negligible to devastating.
- 4) Assess the reasonableness of the proposal that is causing the impact, taking into account any non-compliance that is causing the view loss. (A development that complies with all the planning controls would be more reasonable than one that breaches them).

Step 1

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

Views available to the south over the existing carport. This is a narrow view corridor due to the Prescence large canopy vegetation on the site boundaries and within the street setback. Figure 4 shows a drone photo taken at the level of the dwelling directly across the street (No 152).

Figure 5 shows that any views from an angle across the site at street level are naturally restricted by vegetation.

The major views are to the south across the water towards Bayview.

Views to be potentially affected are these views to the south from 152 Wallumatta Road. These views are shown in Figure 4 and the impact discussed in Step 3 of this assessment.

It is anticipated that post development, the view corridor will retain water views and only views to the foreshore grass will be potentially impacted upon.



Figure 4: Drone image showing Views to the South from No 152.



Figure 5: Views to the south West.

Step 2

The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

The views to be impacted are to the south. Number 152 Wallumatta Road enjoys a narrow view corridor to water glimpses to the south. These views are directly across the middle of the subject allotment and over the top of the existing structures on the site. Views from an angle across the property are naturally blocked by canopy vegetation.

The potential impact from the development is discussed in Step 3.



Figure 6: Existing View Corridor.

Step 3

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Post development it is anticipated that minimal views to the south will be restricted. Views of the water are currently obtained over the top of the existing carport at street level. The dwellings across the street are elevated relative to the structures on the subject allotment, allowing them to have sight lines over the top of structures on the property.

Figure 7 shows the new roof line relative to the existing carport when viewed from street level. The roof structure sits vertically 1.645m below that of the carport ridge. When taking into account the elevated nature of the opposite dwelling that benefits from the view corridor, the roof line sitting below that of the carport will result in the retention of the view corridor.

In the current form the roof of the carport and existing vegetation define the limits of the view. The vegetations and carport will be retained. With the new roof well below the height of the carport structure, impacts on views will be limited.

The following Figures indicate the impact on these views by the proposed addition.

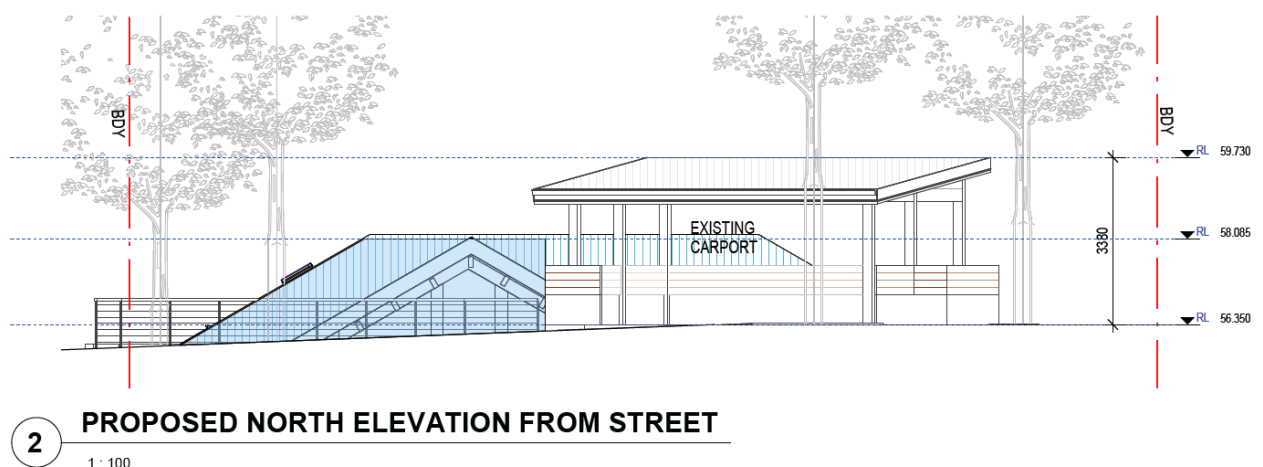


Figure 7: Proposed Street Level View.



Figure 8: Existing Street level view.



Figure 9 Elevated Nature of houses opposite. .

Step 4

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of noncompliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skillful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

It is considered that while the development will result in the negligible loss of views from properties on Wallumatta Road opposite the development site, the views obtained are across the property and it is unrealistic to expect a property to maintain a full vista across an adjacent allotment.

Notwithstanding this, the houses opposite are in an elevated position and the proposed roof line will sit well below the RL of the existing carport ridge. Views to the water and beyond will be maintained. The proposal is consistent with the height limit on the site and does not unreasonably impact on view corridors.

Post development, the existing dwelling to the north will still benefit from views to the south.

Dwellings looking across the site at an angle will continue to have views impeded by the existing vegetation and canopy trees. These trees are to be retained and no change to views will occur.

Given that the opposite allotments will retain water views it is considered that the proposal is reasonable in its current form.

This document demonstrates the development's compliance with relevant planning controls. Further it is demonstrated that the full retention of the existing view corridors by adjacent properties over the subject site would severely impact on any improvements to the dwelling and as such full retention of view corridors is not considered reasonable.

The development proposal has considered and is consistent the development has considered and is consistent with the planning principles contained within the *Tenacity Consulting P/L v Warringah Council (2004) NSWLEC 140 Roseth SC* case.

4. Planning Controls

4.1 State Planning Controls

Environmental Planning and Assessment Act 1979

Section 91

The development is not considered to constitute integrated development under the provisions of Section 91 of the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policies

No State Environmental Planning Policies are relied upon in the preparation of this development application.

4.2 Local Planning Controls

The development site is currently controlled by the provisions of the Pittwater Local Environmental Plan 2014.

Pittwater Local Environmental Plan 2014

Under the Pittwater Local Environmental Plan 2014, the site is zoned E4 – Environmental Living. An excerpt of the Pittwater Local Environmental Plan 2014 zoning map is shown in Figure 10.

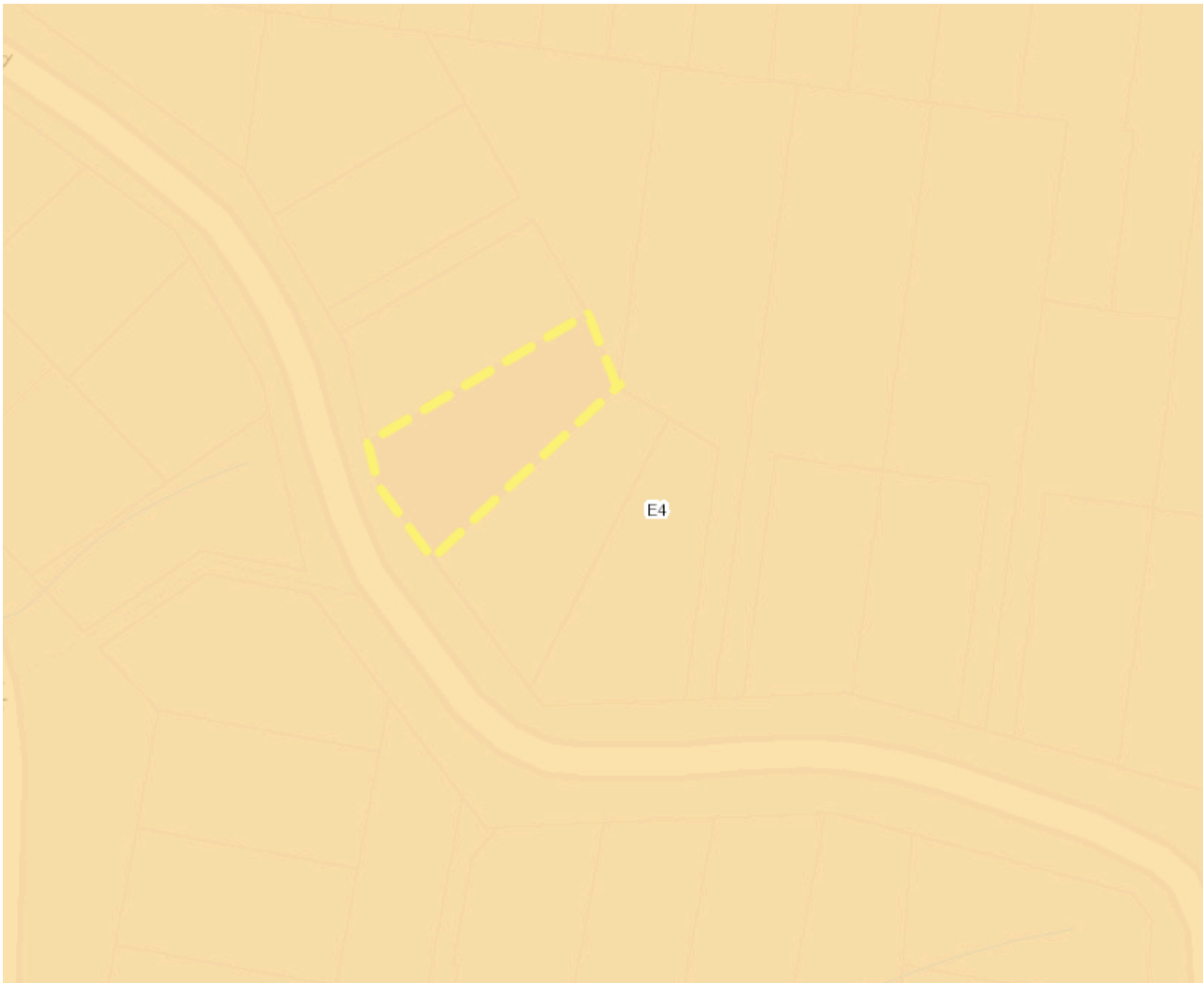


Figure 10: Site Zoning under Pittwater Local Environmental Plan 2014

The provisions for the E4 – Environmental Living zone state;

- *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 Alterations and Additions to the existing Single Dwelling are considered to be consistent with the objectives of the E4 – Environmental Living Zone.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster

aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures

4 Prohibited

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

Comment: Under subclause 3, Dwelling Houses are permissible with Consent.

Part 4 - Principal Development Standards

Clause 4.3 Height of Buildings.

The subject site is mapped as having a maximum building height of 8.5m.

The dwelling as proposed has a maximum height of 8.5m and is compliant with the maximum prescribed building height.

Clause 4.4 Floor Space Ratio

While the Floor Space Ratio Maps do not identify a Floor Space Ratio for the subject site, the development is consistent with the objectives of this clause. The objectives of clause 4.4 state;

- (1) *The objectives of this clause are as follows:*
- (a) *to ensure that buildings, by virtue of their bulk and scale, are consistent with the desired character of the locality,*
 - (b) *to minimise adverse environmental effects on the use and enjoyment of adjoining properties and the public domain,*
 - (c) *to minimise any overshadowing and loss of privacy to neighboring properties and to reduce the visual impact of any development,*
 - (d) *to maximise solar access and amenity for public places,*
 - (e) *to minimise the adverse impact of development on the natural environment, heritage conservation areas and heritage items,*
 - (f) *to manage the visual impact of development when viewed from public places, including waterways,*
 - (g) *to allow for the reasonable sharing of views.*

The minor scale of the development and use of existing structures and build footprint will ensure that the character of the locality is not compromised. The siting of the proposal also ensures that no significant vegetation will be removed.

Part 7 - Additional Local Provisions

Clause 7.1 Acid Sulfate Soils

The subject site is identified as containing potential Acid Sulfate Soils, class 5.

The development represents an alteration and addition to the existing dwelling. The earth surrounding the dwelling will be undisturbed as the development represents changes to the existing structure.

The development will not lower the water table, nor will it result in the disturbance of Acid Sulfate Soils and as such no further assessment of Acid Sulfate Soils is considered necessary.

Clause 7.7 Geotechnical Hazards

The development site is identified on identified in the Geotechnical Hazard Map – Sheet GTH_017 as being within the H1 Geotechnical Hazard Zone.

Clause 7.10 Essential Services

The subject site is serviced by reticulated water and sewer.

Pittwater Development Control Plan 21

The following relevant controls have been considered in the preparation of the subject application.

The development is considered to be compliant with the DCP controls for single dwellings.

B3 - Hazard Controls

Controls	Response
<p>B3.1 Landslip Hazard</p> <p>All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5).</p> <p>Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development.</p> <p>The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.</p>	<p>The development site is identified on identified in the Geotechnical Hazard Map as being within the H1 Geotechnical Hazard Zone.</p> <p>A Geotechnical Assessment has been prepared by Ascent Geotechnical Consulting. The report has concluded that the proposed development is suitable for the site and that no significant geotechnical hazards will result from the development so long as the recommendations in Section 3.6 of the report are adhered to.</p>
<p>B3.2 Bushfire Hazard</p> <p>All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development.</p> <p>Development land to which this control applies must comply with the requirements of:</p> <ul style="list-style-type: none">- Planning for Bushfire Protection (2006)- AS 3959 - Construction of a Building in a Bushfire Prone Area	<p>The development site is not noted as being bushfire prone.</p>

B3.5 Acid Sulfate Soils

Works involving the disturbance of soil or the change of groundwater levels, as described in the following table, shall not be carried out on land of the class specified for those works, unless it has been determined whether acid sulphate soils are present and whether the proposed works are likely to disturb these soils.

If it is determined that acid sulphate soils are present or are likely to be present on the land, consideration must be given to:

- the likelihood of the proposed development resulting in the discharge of acid water; and
- any comments from the Department of Planning.

Consent for development to be carried out by Councils or drainage utilities is required despite:

- clause 35, and items 2 and 11 of Schedule 1, to the Environmental Planning and Assessment Model Provisions 1980, as adopted by Pittwater LEP 1993; and
- clause 10 of SEPP No 4 Development Without Consent and Miscellaneous Complying Development.

The subject site is identified as containing potential Acid Sulfate Soils, class 5.

The development represents an alteration and addition to the existing dwelling. The earth surrounding the dwelling will be undisturbed as the development represents changes to the existing structure.

The development will not lower the water table, nor will it result in the disturbance of Acid Sulfate Soils and as such no further assessment of Acid Sulfate Soils is considered necessary.

B5 Water Management

Controls	Response
<p>B5.3 Greywater Reuse</p> <p>Blackwater reuse and on-site disposal is not permitted on sewerred lands.</p> <p>Council will only consider approval of on-site treatment, disposal and/or reuse of greywater subject to demonstration of scheme feasibility and compliance with all relevant State and Federal regulatory requirements and the referenced guidelines.</p> <p>The greywater treatment and reuse system shall have a current NSW Health Accreditation (where accreditation is necessary).</p> <p>All premises must maintain a connection to the Sydney Water centralised sewerage waste disposal system.</p>	<p>As the site is fully serviced there will be no requirement to dispose of grey water.</p>

B5.7 Stormwater Management - On-Site Stormwater Detention

An On-Site Detention (OSD) facility is to be installed where the development results in additional hard (impervious) surface area of greater than 50m² (on a cumulative basis since February 1996) and on land designated through mapping as requiring OSD facility.

OSD facilities are to be designed and installed to temporarily detain stormwater on a site to limit the discharge leaving the property to ensure that the development does not increase stormwater discharge downstream of the land over and above that of the existing stormwater discharge conditions up to the 1% AEP storm event.

All additional roof surface area of the development is to be drained initially to the rainwater tank which is to be fitted with an overflow pipework system connected to the OSD facility.

All additional ground surface hard stand (impervious) areas are to be drained via a stormwater tank/pit to the OSD facility.

Surface stormwater runoff from properties upstream of the land is to be independently managed to that of the additional ground surface stormwater collection and OSD system and is required to bypass the OSD system.

Rainwater tanks and OSD facilities may also be combined in an integrated system and may be either above or below ground. Should an oversized rainwater tank be used, then 25% of the excess storage volume can be credited towards the OSD tank capacity.

The development will not result in an additional impervious area greater than 50m² being created.

No net change to impervious area has been proposed.

No change to the existing stormwater system is proposed by this addition.

B5.8 Stormwater Management - Water Quality - Dwelling House, Dual Occupancy and Secondary Dwellings

The control is applicable when the development results in an additional hard (impervious) area of more than 50 square metres.

Development shall incorporate the installation of the following stormwater quality improvement measures:

- Pre-screening of organic matter (eg leaf litter) prior to the collection of rainwater in the rainwater tank
- A water quality filtration basket or equivalent primary treatment Stormwater Quality Improvement Device (SQID) to collect leaf litter and coarse sediments is to be installed prior to the discharge of stormwater from the land.

All Stormwater Quality Improvement Devices (SQIDs) must make provision for convenient and safe regular inspection, periodic cleaning, and maintenance.

Applicants are also encouraged to apply advanced water quality techniques through primary and secondary treatment techniques to reach and/or exceed the following objectives:

- Primary treatment (eg. physical screening, rapid sedimentation techniques) of stormwater to collect and retain gross pollutants (i.e. litter and organic matter) and coarse sediments (with associated entrained pollutants) prior to the discharge of stormwater from the land.
- Secondary treatment (eg. fine particle sedimentation and filtration techniques) of stormwater to collect and retain medium to fine sediments (with associated entrained pollutants) prior to the discharge of stormwater from the land.

The proposal does not result in a 50 square meter increase in impervious area and as such no augmentation of the existing stormwater system is required.

B6 Access and Parking

Controls	Response
B6.1 Access Driveways and Works on the Public Road Reserve - Dwelling House and Dual Occupancy	No modification to the existing site driveway access is proposed.
B6.3 Off-Street Vehicle Parking Requirements - Dwelling Houses, Secondary Dwellings and Dual Occupancy On-Site Car Parking Requirements The minimum number of vehicle parking spaces to be provided for off-street parking is as follows: Small dwelling (1 bedroom) - 1 space Large dwelling (2 bedrooms or more) 2 spaces	The development provides the required two parking spaces within the existing double carport at street level.

B8 Site Works Management

Control	Response
<p>B8.1 Construction and Demolition - Excavation and Landfill</p> <p>Excavation and landfill on any site that includes the following:</p> <ul style="list-style-type: none">- Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation, and/or;- Any excavation greater than 1.5 metres deep below the existing surface, and/or;- Any excavation that has the potential to destabilise a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property, and/or;- Any landfill greater than 1.0 metres in height, and/or;- Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, <p>must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council.</p>	<p>Minor excavation and benching is required to facilitate the new pool.</p> <p>A Geotechnical Risk Assessment has been submitted with this application to demonstrate the appropriateness of the development.</p>

<p>B8.2 Construction and Demolition - Erosion and Sediment Management</p> <p>Erosion and sedimentation prevention measures must be installed on all sites to prevent the migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.</p> <p>Erosion and sedimentation prevention measures must be installed in accordance with Managing Urban Stormwater: Soils and Construction (Landcom 2004) on the downstream side of any works undertaken on the boundary of the site or on public lands adjoining the site to prevent the migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.</p> <p>Appropriate devices are to be in place at all times to prevent the migration of sediment off the site.</p>	<p>Erosion and Sedimentation controls will be in place where required during the construction process in accordance with Managing Urban Stormwater: Soils and Construction (Landcom 2004), particularly during the excavation period and while exposed earth is being stabilised.</p>
<p>B8.3 Construction and Demolition - Waste Minimisation</p> <p>Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</p>	<p>Waste will be managed through the construction process.</p>
<p>B8.4 Construction and Demolition - Site Fencing and Security</p> <p>All sites are to be protected by site fencing for the duration of the works.</p> <p>Where building construction is undertaken adjacent to the public domain, pedestrian and vehicular facilities are to be protected by a Hoarding in accordance with Section 126(1) of the Roads Act.</p>	<p>Appropriate site fencing will be implemented during construction.</p>

B8.6 Construction and Demolition - Traffic Management Plan

For all development where either excavated materials to be transported from the site or the importation of fill material to the site is 100m³ or greater, a Construction Traffic Management Plan indicating truck movements, and truck routes is to be provided and approved by Council prior to the commencement of works.

All transport works must not cause adverse disruption or nuisance to adjoining residences, businesses or the street system.

No works are proposed to be undertaken within the public road reserve.

Sufficient off street manoeuvring space exists to ensure that no public nuisance is caused during the construction period.

It is noted that at times during construction cranes, material deliveries and concrete agitators will require site access. Traffic management will ensure that this does not cause a prolonged nuisance to neighbours.

It is envisaged that site contractors will also utilise on-street parking.

C1 Design Criteria for Residential Development

Control	Response
Section C1.1 – Landscaping	
<p>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community.</p> <p>Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.</p>	<p>The majority of trees on site, including canopy trees, are proposed for retention. No canopy trees will be removed.</p>
<p>In all development a range of low lying shrubs, medium high shrubs and canopy trees shall be retained or provided to soften the built form.</p>	<p>No significant vegetation removal is required by this proposal.</p>
<p>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the longterm.</p> <p>Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.</p>	<p>The required canopy trees currently exist on site and will be retained.</p> <p>It is not considered that any supplemental plantings will be required by the development due to its minimal impact on the existing vegetated state and appearance.</p>
<p>Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted.</p>	<p>N/A</p>
<p>The following soil depths are required in order to be counted as landscaping:</p> <ul style="list-style-type: none"> • 300mm for lawn • 600mm for shrubs • 1metre for trees 	<p>The site provides for the required soil depths.</p>
<p>The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:</p> <ul style="list-style-type: none"> • A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments, • 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and • 50% for all other forms of residential development. 	<p>Existing vegetation in the front building setback is proposed for retention.</p> <p>Given the development is for modifications to an existing dwelling, it is not considered that any supplemental plantings are required.</p>

Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.	No vegetating screening is proposed or required by the development.
In bushfire prone areas, species shall be appropriate to the bushfire hazard.	The site is not bushfire prone.
Landscaping shall not unreasonably obstruct driver and pedestrian visibility.	No landscaping will obstruct driver or pedestrian visibility.
Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.	The development utilises the existing built footprint and does not propose the removal of any significant trees or vegetation on site.
Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.	No new canopy trees are proposed to be introduced to supplement the existing vegetation and canopy trees.
Noxious and undesirable plants must be removed from the site	No noxious plants have been identified on site.
Section C1.2 – Safety and Security	
<p>1. Surveillance</p> <p>Building design should allow visitors who approach the front door to be seen without the need to open the door.</p> <p>Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.</p> <p>Development design and design of the public domain (including landscaping) is to minimize opportunities for concealment and avoid blind corners.</p> <p>Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS 42821997: Control of the obtrusive effects of outdoor lighting.</p> <p>Lighting is to be designed to minimise electricity consumption, and to minimise annoyance to neighbors.</p> <p>Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.</p>	<p>No change to the existing surveillance arrangements are proposed through this development application</p> <p>No landscaping is being introduced that will limit or hinder the current levels of street surveillance, nor is it seen that the development will provide any new opportunities for vandalism or anti-social behaviour.</p>

<p>2. Access Control</p> <p>Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.</p> <p>Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.</p> <p>Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.</p> <p>The street number of the property is to be clearly identifiable.</p> <p>Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions.</p>	<p>The primary entrance to the front of the dwelling is to remain functionally unmodified by this proposal.</p>
<p>3. Territorial reinforcement</p> <p>Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.</p> <p>Blank walls along all public places (streets, open space etc) shall be minimised.</p>	<p>The dominant walkway into the site will remain unchanged by this addition to the dwelling.</p> <p>No blank walls facing public places are proposed.</p>
<p>C1.3 – View Sharing</p>	
<p>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p>	<p>While the roof structure will be raised on the dwelling, the new roof will sit some 1.645m vertically below the ridge line of the existing carport.</p> <p>An assessment of views has been undertaken and contained within Section 3.12 of this report.</p> <p>It is considered that the proposal will not unreasonably impact upon any view corridor.</p>
<p>The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.</p>	<p>An assessment against the Land and Environment courts planning principles for view sharing is contained in Section 3.12 of this report.</p> <p>No significant impact is envisaged.</p>
<p>Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.</p>	<p>N/A</p>

Views are not to be obtained at the expense of native vegetation.	N/A
C1.4 Solar Access	
The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.	The orientation of the allotment will ensure that the proposal has no adverse impacts on solar access to both the subject allotment and surrounding properties.
Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).	No changes to the solar access of existing living areas has been proposed.
Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.	Complies
Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.	Complies
The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.	The planning principles resulting from <i>Parsonage v Ku-ring-gai Council</i> [2004] NSWLEC 347 have been taken into account and it is considered that the development is not contrary to any of these planning principles.
C1.5 – Visual Privacy	
Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).	<p>Adequate separation exists from the proposed balcony to adjoining properties. Screening is proposed to the eastern boundary to prevent any overlooking.</p> <p>While the pool deck is elevated due to the site topography, it is not considered that the pool will result in any adverse privacy impacts.</p>
Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.	<p>A new elevated balcony is proposed on the new second level. The deck will have a 4.9m setback to the eastern boundary and a timber privacy screen is proposed to restrict any views to the east.</p> <p>A setback of 8.8m exists to the west, and this is considered to be a suitable separation distance so as to not require any screening of the deck.</p>

Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.	<p>No new windows are proposed facing the eastern boundary, however screening is provided to the small window on the south facing study nook.</p> <p>The proposed kitchen has window openings facing to the west however these do not overlook any private open space areas and contain sufficient side setback separation to mitigate against any potential privacy issues.</p>
C1.6 – Acoustic Privacy	
Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.	The development is compliant with this control.
Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the Building Code of Australia).	The development will be compliant with the Building Code of Australia.
Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.	N/A
Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.	The development does not proposed any elements that would breach the Protection of the Environment Operations Act 1997
C1.7 – Private Open Space	
<p><u>a) Dwelling houses, attached dwellings, semidetached dwellings, and dual occupancies:</u></p> <p>Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.</p> <p>Within the private open space area, a minimum principal area of 16m² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</p> <p>Dwellings are to be designed so that private open</p>	<p>The development will not modify the existing open space provision on the site.</p> <p>Due to the slope of the site, the principle area of 16m² with a minimum 4m dimension is available in the rear setback area located on both existing and proposed decks.</p> <p>This space is directly accessible from living areas at the rear of the dwelling.</p>

<p>space is directly accessible from living areas enabling it to function as an extension of internal living areas.</p> <p>Private open space areas are to have good solar orientation (i.e. orientated to the northeast or northwest where possible).</p> <p>Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).</p> <p>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</p> <p>Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private.</p> <p>A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.</p> <p>Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.</p> <p>An accessible and usable area for composting facilities within the ground level private open space is required.</p>	<p>The proposed pool area will further enhance and increase the area of level open space that can be functionally utilised.</p>
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Section D10 – Newport Locality

Control	Comment
D10.1 – Character as viewed from a public place	
Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.	From street level, the building will not be perceived as three storeys. The additions are consistent with the scale of surrounding development and the addition of a second storey will improve street presence and passive surveillance.
Walls without articulation shall not have a length greater than 8 metres to any street frontage.	No wall of length of greater than 8m without articulation are proposed to be created.
Any building facade to a public place must incorporate at least two of the following design features: <ul style="list-style-type: none"> • entry feature or portico; • awnings or other features over windows; • verandahs, balconies or window box treatment to any first floor element; • recessing or projecting architectural elements; • open, deep verandahs; or • verandahs, pergolas or similar features above garage doors. 	<p>The proposed second storey will improve the public façade and enhance the pedestrian access to the site by including an elevated walkway to the new front door.</p> <p>The development incorporated the following features as required by this clause;</p> <ul style="list-style-type: none"> • entry feature or portico; • verandahs, balconies or window box treatment to any first floor element;
The bulk and scale of buildings must be minimised.	<p>Due to the steep nature of the site, the additional storey will not appear bulky when viewed from the street.</p> <p>Side elevations are consistent with adjacent dwellings.</p>
Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.	The existing carport will remain unchanged by the proposal.
Except in the Newport Commercial centre, parking structures must be located behind the front <u>building</u> line, preferably set back further than the primary <u>building</u> , and be no greater in width than 50% of the lot <u>frontage</u> , or 7.5 metres, whichever is the lesser.	The existing carport and parking areas will remain unchanged by the proposal.
Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.	Existing site landscaping and vegetation is proposed to be retained.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.	No alteration is proposed to the existing television antennas.
General service facilities must be located underground.	General Service facilities will be in accordance with existing service provisions.
Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.	No modification to existing visual elements of plumbing or electrical cabling is proposed by the development.
D10.3 –Scenic Protection	
Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	It is not considered that when viewed from any waterway, road or public reserve that the development will have any adverse visual impacts.
D10.4 – Building Colours and materials	
<p>External colours and materials shall be dark and earthy tones as shown below</p> <p>Finishes are to be of a low reflectivity.</p>	<p>The development is compliant with this requirement.</p> <p>Roof: Surf Mist Walls: Dulux Snowy Mountain Windows, doors, balustrades: Vivid White.</p>
D10.7 – Front Building Line (excluding Newport Commercial Centre)	
The minimum front building line for R2 zoned land shall be in 6.5m or established lines, whichever is the greater.	No change is proposed to the front of the existing dwelling. The existing front building line will be retained.
D10.8 – Side and Rear Building Line	
<p>Controls</p> <p>2.5 at least to one side; 1.0 for other side</p> <p>6.5 rear (other than where the foreshore building line applies)</p>	<p>No change is proposed to the existing side and rear setbacks. These currently stand at.</p> <p>Ground Floor East – 900mm West – 900mm</p> <p>First Floor East – 900mm West – 4.04m</p> <p>Proposed 2nd floor East – 1.6m West – 4.04m</p> <p>The proposed additions are compliant with the setback requirements.</p>

D10.11 – Building Envelope	
Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).	<p>Section 1A shows the building envelope. There is a minor non-compliance on the eastern side wall/roof. This is a small area of pitched roof that does not contribute to building bulk, overshadowing or visual dominance.</p> <p>Strict compliance could be achieved with a flat roof, however there would be no net benefits to surrounding properties through this change and as such it is requested that council allow the minor encroachment on the building envelope.</p>
D10.12 – Landscaped Area General	
The total landscape area on land zoned R2 Low Density Residential shall be 50% of the site area.	<p>The DCP requires on this site that a total of 50% of landscaped area be provided.</p> <p>The development will not result in the loss of any landscape areas which total 74.9% of the site.</p>
The use of porous materials and finishes is encouraged where appropriate.	No new hardstand areas are proposed.
Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped Area.	<p>The site provides for 74.9% landscaping both pre and post development.</p> <p>The development is compliant with this clause.</p>
D10.14 – Fences	
	No change is proposed to the existing fencing on site so the provisions of this section do not apply.
D10.16 – Construction, Retaining Walls, Terracing and Undercroft Areas.	
Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.	No new footings will be required due to the retention of the existing structure.
Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.	The development does not propose new retaining walls or terracing.
In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.	No cut or fill is proposed.
Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.	No undercroft area is proposed.

5. Conclusion

This proposal is for Alterations and Additions to an existing Dwelling on an E4 – Environmental Living zoned parcel of land.

The proposal is considered to be consistent with the provisions of the Pittwater Local Environmental Plan 2014 and the provisions of Pittwater DCP 21.

Furthermore, the proposal is considered to have no adverse impacts upon the environment or the general locality or surrounding properties.

Council's support to the proposal is therefore requested

