



62 Hudson Parade, Clareville Statement of Environmental Effects Alterations and Additions

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|------------------|----------|----------------------|
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1 INTRODUCTION/PROPOSAL

This statement has been prepared as part of a development application for alterations and additions to an existing family home at No. 62 Hudson Parade, Clareville (the Site). A part one, part 2-storey residence, with a rendered masonry lower ground floor, weatherboard clad first floor and pitched metal roof.

The proposal involves adding a first floor to the dwelling and undertaking some modifications to the existing internal layout. Main works occur within the footprint of the existing building, with a small dining room extension is proposed. The current dwelling includes 4 bedrooms, and the proposed dwelling will also have 4 bedrooms. Specifically, the proposal entails the following works:

Lower Ground floor level (Internal changes only – no increase in floor space)

- ☐ Move wall of bedroom 4 to provide for a built-in robe.

Ground floor Level (Internal changes only – minor increase in floor space)

- ☐ Reconfigure existing entry and remove bedroom 3 to provide larger entry and staircase to first floor addition.
- ☐ Existing robe to bedroom 2 to be extended and altered into a WC.
- ☐ New robe provided to bedroom 2.
- ☐ New door provided from entry into kitchen and new joinery provided in kitchen.
- ☐ New cupboard provided off hall and under stairs.
- ☐ New minor extension to Dining room with storage under of 5.5m².
- ☐ Modify existing stairs to exterior.

Proposed First Floor Level

- ☐ Provide a new master bedroom with ensuite, walk-in-robe, small study and balcony facing out to Pittwater.
- ☐ The new first floor has a pitched roof with windows to match the ground floor windows.
- ☐ The existing chimney is to be extended to comply with EPA guidelines.

Garage

- ☐ Reclad the roof of the garage/carport

2 SITE AND SURROUNDS

The subject site is described as Lot 102, DP 605991 and has an area of 1143m² (by survey). The site adjoins Pittwater and is irregular in shape, narrowing significantly towards the water.

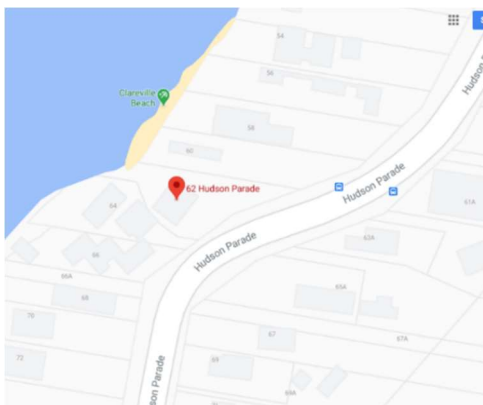


Figure 1: The rear elevation of the dwelling at No. 62 Hudson Parade, Clareville (which faces out to Pittwater) is set behind the rear building lines of the neighbouring dwellings (Nos 60 & 64 Hudson Pde).

The existing house on the site is set towards the road away from the water. A number of large trees, including some Pittwater spotted gums exist to the north and south of the house and have canopies well above the ridge line of the dwelling.

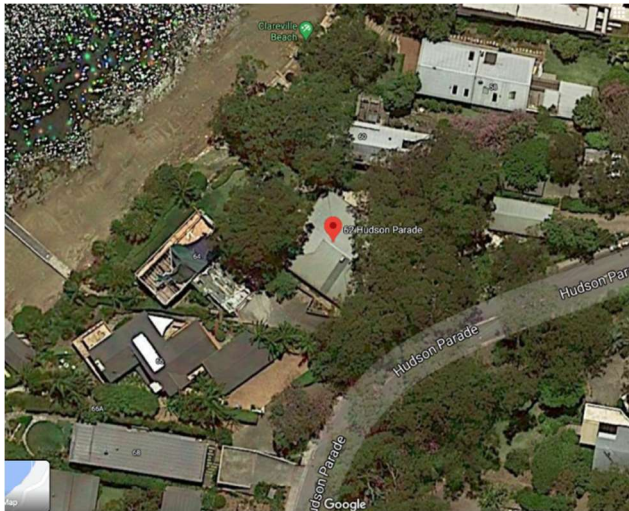


Figure 2: The existing house is framed by large trees; all trees are to be retained.



Photo 1: The tall trees framing the site – due to the height of the trees canopy pruning is not required to accommodate the first-floor addition.

Surrounds

To the east of the Site is No. 60 Hudson Parade which contains a long rectangular 2 & 3 storey brick dwelling. This dwelling is sited at a lower level than the subject dwelling. A number of large trees are located to the water side of this dwelling including the protected Pittwater spotted gum.



Photo 2: A view from the entrance path at No. 62 looking east over the roof of No. 60 Hudson Pde.



Photo 3: View from Clareville foreshore looking back to No. 62 across the waterfront of No. 60 with the Pittwater spotted gums on this property visible in the foreground.

To the west of the site is No. 64 Hudson Parade, Clareville. This site includes a large 3-storey dwelling with an expansive frontage to Pittwater. The dwelling is located in close proximity to the water and the common boundary shared with No. 62.



Photo 4: View to the west past the rear lower ground deck at No. 62 to the dwelling at No. 64 Hudson Parade which is sited much closer to Pittwater.

Existing Vegetation

There are large, trees located to the south of the subject house towards Hudson Road and a number located on waterside of the site near the north-eastern and north-western corners of the house. As all alterations and additions are to be confined within the footprint of the existing building and no branches overhang the roof of the house, the proposal will not impact on existing vegetation.



Photo 5: The Pittwater spotted gums located at the pedestrian entrance to the Site.



Photo 6: The roof of the subject house showing it is free from overhanging branches.



Photo 7: The tall trees framing the subject dwelling.

3 SUPPORTING DOCUMENTS

The subject application is supported by:

- ☐ Architectural Drawings coDWG 100 – 118 by DBCF Pty Ltd
Dated 1 October 2020
- ☐ Survey by Detailed Surveys
Dated 23 May 2020
- ☐ Geotechnical Assessment by Crozier Geotechnical Consultants
Dated November 2020
- ☐ Stormwater Management Plan GNG Design Engineers
Dated 24 November 2020
- ☐ BASIX Report

4 EVALUATION

Council is required to consider the matters raised in Section 4.15(1), of the Environmental Planning and Assessment Act, 1979, in the determination of a development application. Compliance with the statutory and policy controls applying to the site including an evaluation of the development application are discussed below.

4.1 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

The Coastal Management Act 2016 and the SEPP (Coastal Management) 2018 provide a framework for protecting, managing and enhancing the coastal zone of NSW. Section 5 of the Coastal Management Act 2016 provides that the coastal zone means the area of land comprised of four coastal management areas.

- The coastal wetlands and littoral rainforests area,
- The coastal vulnerability area,
- The coastal environment area,

- The coastal use area.

The subject site is mapped as belonging to the coastal environment and coastal use area. Under SEPP (Coastal Management) 2018, part 2 clauses 13, 14 and 15 provide for matters that must be considered prior to the granting of consent for development on the subject land. These matters are addressed in the table below.

Table 1: Evaluation of Proposal against Clause 13 of SEPP (Coastal Management) 2018

| Clause 13 Development on land within the coastal environment area | |
|---|---|
| <i>(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:</i> | |
| Section | Assessment |
| <i>(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i> | The subject site is in an established residential area and the existing dwelling is connected to Council's sewer infrastructure and a stormwater management plan has been submitted with the application. The proposed alterations and additions are contained fully within the footprint of the existing building and therefore it is not expected the proposal will have any detrimental effect on the surrounding biophysical, hydrological or ecological environment. |
| <i>(b) coastal environmental values and natural coastal processes,</i> | Under Pittwater's LEP 2014 Geotechnical Risk Management Map (GTH_016) the site has been classed as H1 (highest category) landslip hazard zone. However, no excavation, fill or significant earthworks are proposed in conjunction with the application. A Geotechnical Assessment report prepared by Crozier Geotechnical Consultants was submitted with the application and concludes the site will "meet the acceptable risk management criteria for the design life of the development taken as 50 years from the proposed works". |
| <i>(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i> | No offsite water quality impacts are considered likely. As stated above, sewerage will be directed to Council's existing infrastructure and a stormwater management plan has been submitted with the application. Erosion and sedimentation will be effectively managed during construction (refer environmental site management and waste management plan submitted with the application). |
| <i>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i> | No native vegetation will be impacted by the proposal. There are a number of large trees surrounding the subject dwelling, but they are to be retained. The first-floor extension will not interfere with the trees due to the height of their canopies. |
| <i>(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i> | Existing public open space and safe access along the foreshore, will not be affected by the current proposal. |

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| <i>(f) Aboriginal cultural heritage, practices and places,</i> | A search of the AHIMS register maintained by the Office of Environment and Heritage did not reveal any known items of Aboriginal cultural heritage within 50m of the site. |
| <i>(g) the use of the surf zone.</i> | N/A |

Table 2: Evaluation of Proposal against Clause 14 & 15 of SEPP (Coastal Management) 2018

| Clause 14 Development on land within the coastal use area | |
|---|---|
| <i>(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority (a) has considered whether the proposed development is likely to cause an adverse impact on the following:</i> | |
| Section | Assessment |
| <i>i. existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i> | Existing public open space and safe access along the foreshore, will not be affected by this proposal. |
| <i>ii. overshadowing, wind funnelling and the loss of views from public places to foreshores</i> | The extension to the house does not overshadow public foreshore land (refer shadow diagrams). |
| <i>iii. the visual amenity and scenic qualities of the coast, including coastal headlands,</i> | The development will have minimal impact on the visual amenity of the coast. The first-floor extensions remain well below the surrounding tree canopy and as the house is set well back on the block within a framework of large trees the scenic nature of the site will remain largely unaltered. The materials and finishes chosen for the extension will integrate the building with its surrounds. |
| <i>iv. Aboriginal cultural heritage, practices and places,</i> | A search of the AHIMS register did not reveal any known items of Aboriginal cultural heritage within 50m of the site. |
| <i>v. cultural and built environment heritage, and</i> | The site is not mapped as being affected by cultural or built environment heritage. |
| <i>(b) is satisfied that:</i> | |
| Section | Assessment |
| <i>i. the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</i> | The proposal has been designed within the footprint of the existing dwelling to minimise site impacts. |

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| <i>ii. if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> | The proposal has been designed to minimise impacts and does not result in any material amenity issues. |
| <i>iii. if that impact cannot be minimised—the development will be managed to mitigate that impact, and</i> | Not applicable. |
| <p><i>(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</i></p> <p>Assessment: The proposal is in keeping with the bulk and scale of the 2-3 storey dwellings on the neighbouring properties. The low impacts of the proposal (no cut and fill, no vegetation removal, minimal privacy, overshadowing and view loss impacts – refer DCP assessment table) all indicate the proposal is suitable for its environment.</p> | |
| <p>Clause 15 Development in the coastal zone generally – development not to increase the risk of coastal hazards</p> | |
| <p><i>Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.</i></p> <p>Assessment: Refer to the Geotechnical Report submitted by Crozier Geotechnical Consultants. As the footprint of the existing house is to remain unchanged and no cut and fill or vegetation removal is proposed, the consultants have found the site will meet the “acceptable risk management criteria for the design life of the development taken as 50 years from the date of the proposed works”.</p> | |

4.2 STATE ENVIRONMENTAL PLANNING POLICY (REMEDIATION OF LAND) No. 55

This State Policy applies across NSW and requires the consent authority to consider potential land contamination issues prior to issuing development consent. Although contaminated sites may occur anywhere, they are typically clustered in areas which have been used for heavy industry, mining, chemically intensive agriculture and the storage of chemicals, petroleum based products or waste products. The area of Clareville, has no such history. In the 1830s, two large land grants were made to a catholic priest, Father John Joseph Therry (1790-1864) with the land being accessed primarily by water. In the early 1920s the area was subdivided and Sydney residents purchased holiday homes.¹ Accordingly, the likelihood of the subject site being contaminated is extremely low.

4.3 STATE ENVIRONMENTAL PLANNING POLICY (BASIX)

BASIX applies to all of NSW and requires a sustainability assessment certificate to be submitted with the development application. A BASIX certificate has been supplied.

¹ <https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/pittwaters-past/lh-clareville.pdf>

4.4 PITTWATER LOCAL ENVIRONMENTAL PLAN 2014 (PLEP)

The Pittwater LEP 2014 applies to the subject site the aims of this LEP have been considered, particularly those most relevant to the proposal being:

- (a) to promote development in Pittwater that is economically, environmentally and socially sustainable,*
- (b) to ensure development is consistent with the desired character of Pittwater's localities,*
- (f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,*
- (j) to protect and promote the health and well-being of current and future residents of Pittwater.*

It is considered the proposal is consistent with the aims of the LEP as the proposal enhances low-density housing in Pittwater in a manner that is consistent with the desired character for the area as the scenic, natural qualities of the site have been maintained.

The subject site is zoned E4 Environmental Living under the Pittwater LEP 2014 assessment of the proposal against the objectives for the E4 zone and other relevant clauses/objectives of the LEP are discussed below.

Table 2: Assessment of the Proposal against the relevant provisions of Pittwater LEP 2014

| Clause & Objectives | Assessment |
|---|--|
| E4 Environmental Living Zone <ul style="list-style-type: none"> 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. | <p>The proposal is consistent with the objectives of the zone as the proposal is low impact residential development as:</p> <ul style="list-style-type: none"> No alteration is proposed to the existing topography or vegetation. The predominantly 2-storey house is compatible with the 2-3 storey dwellings on the neighbouring sites. The proposal sits well below the canopy of the trees that frame the existing dwelling. The house is set well back from the foreshore – considerably further than either of its neighbours particularly the property to the south (No. 64). As viewed from Pittwater the trees surrounding the house will remain the prominent feature of the site. |
| <p>4.3 Height of Buildings Map - 8.5m</p> <p>2(D) Development on land that has a maximum building height of 8.5m may exceed a height of 8.5m, but not be more than 10.0m if:</p> <p>(a) The consent authority is satisfied the portion of the building above the maximum height shown for that land on the Height of Buildings Map is minor, and</p> | <p>Complies</p> <p>The proposed addition (including the increase in height to the chimney) substantially complies with the 8.5m height limit. The maximum height of the first-floor addition is 7.73m, where it does not extend over the lower ground subfloor area.</p> <p>Where the new addition does extend over the subfloor area a portion of the first-floor roof is 10.0m in height. Council allows for height variations up to 10m, subject to a number of requirements (listed to the left). It is considered the proposal meets these requirements as:</p> |

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| <p>(b) The objectives of the clause are achieved, and</p> <p>(c) The building footprint is situated on a slope that is in excess of 16.7 degrees (that is 30%), and</p> <p>(d) The buildings are sited to take into account the slope of the land to minimise the need for cut and fill.</p> <p>The objectives of the clause being:</p> <p>(a) To ensure that any building, by virtue of its height and scale is consistent with the desired character of the locality,</p> <p>(b) To ensure that buildings are compatible with the height and scale of surrounding and nearby development,</p> <p>(c) To minimise any overshadowing of neighbouring properties,</p> <p>(d) To allow for the reasonable sharing of views,</p> <p>(e) To encourage buildings that are designed to respond sensitively to the natural topography,</p> <p>(f) To minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.</p> | <ul style="list-style-type: none"> • The variation is minor as it is only for a small proportion of the overall roof where the first-floor addition extends over lower ground subfloor area. • The slope of the site across the area including building works is 30%. (RL 14.09 over 23.6 metres to RL 7.01). • The building does not involve any cut and fill. <p>Additionally, the proposal satisfies the objectives of the height control as:</p> <ul style="list-style-type: none"> • The building is consistent with the desired character of the locality as the building due to the surrounding tall trees will remain subservient to the landscape and is well modulated to minimise bulk. • The proposal is compatible with the scale of the adjoining houses as both the adjoining properties are 3-storey. • As the dwelling to the south is located much closer to the water than the subject house, overshadowing of living spaces and outdoor entertaining areas is not an issue (refer solar diagrams). • As the neighbouring dwellings sit closer to the water than the subject house the proposed first floor extension will not impact their water views. Properties to the south-east on the high side of Hudson Road will not be impacted by the proposal as the current house is set well below street level with the proposed ridge of the first floor addition only extending 3.73m (approx.) above the road surface of Hudson Parade. The sites to the south-east are above road level. • No alteration to existing topography is proposed and the site is not in a heritage conservation area and is not a heritage item or within the vicinity of an item. The current house sits well under the canopy of a framework of tall gums and this situation will be preserved. |
| <p>5.10 Heritage Map</p> <p>Not applicable</p> | <p>Not applicable</p> <p>The site is in not in a heritage conservation area, nor is it a heritage item or within the vicinity of heritage items.</p> |
| <p>7.1 Acid Sulphate Soils</p> <p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> | <p>Complies</p> <p>The site is identified as class 5 acid sulphates soils and class 1 around the waterfront area. However, as no cut and fill or site works are proposed there is no opportunity for the water table to be lowered or for acid-sulphate soils to be exposed.</p> |
| <p>7.2 Earthworks</p> <p>Not applicable</p> | <p>Not applicable</p> |
| <p>7.3 & 7.4 Flood planning & Floodplain risk management</p> <p>Not applicable</p> | <p>Not applicable</p> |
| <p>7.5 Coastal Risk Planning</p> <p>(2) This clause applies to the land identified as “Coastal Risk Planning Area” on the Coastal Risk Planning Map.</p> | <p>Not applicable</p> <p>The subject site is not identified as Coastal Risk land.</p> |

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| 7.6 Biodiversity | <p>Consistent</p> <p>The site is within an area of biodiversity. The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity.</p> <p>The proposal will not have any adverse material impacts on the native flora and fauna of Pittwater as it is not altering the footprint of the existing building and therefore no site works are proposed. Additionally, no works near the water are to be undertaken except for improvements to the stormwater outlet control which is to be upgraded to meet NSW State Government requirements (refer stormwater plan).</p> |
| 7.7 Geo- technical Hazards Geotechnical Hazard Area H1 | <p>Complies</p> <p>A stormwater management plan was submitted with the application and as the site is identified as being within a geotechnical hazard area, a Geotechnical Report by Crozier Geotechnical Consultants was commissioned. Their report concludes the site will <i>“meet the acceptable risk management criteria for the design life of the development taken as 50 years from the proposed works”</i>.</p> |
| 7.8 Limited development on foreshore area. | <p>Complies</p> <p>The site is impacted by a foreshore building line. However, no works are proposed in the foreshore area and as such the proposal complies with clause 7.8.</p> |

Bushfire Prone land Map:


The site is **not** mapped as being bushfire prone land.


4.5 PITTWATER 21 DEVELOPMENT CONTROL PLAN 2014

The Pittwater 21 Development Control Plan 2014 (PDCP) is divided into 4 sections, as follows:




- ☐ Section A Shaping Development in Pittwater
- ☐ Section B General Controls
- ☐ Section C Development Type Controls
- ☐ Section D Locality Specific Development Controls


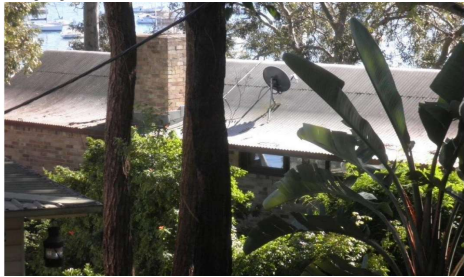
The following table provides an assessment of the proposal under the Section Headings addressing the proposal's consistency with relevant clauses in the PDCP.

| SECTION A SHAPING DEVELOPMENT IN PITTWATER | |
|---|---|
| Clause & Objectives | Consistency with Objectives |
| <p>A4.1 Avalon Beach Locality: Desired Character Low-density residential area dwelling houses a maximum of two storeys in any one place.</p> <p>Set in landscaped setting, integrated with the landform/landscape.</p> <p>Building height below the tree canopy.</p> <p>Building colours & materials harmonise with the natural environment. Site disturbance, minimised. Design to be safe from hazards.</p> | <p>Consistent The proposal is consistent with the desired development objectives for the Avalon beach locality. The proposed first floor addition will be set well beneath the tree canopy and will be framed by trees. The proposal does not disturb the site and retains the existing topography and vegetation.</p> <p>The proposal is substantially two-storeys. The slope of the site results in part of the rear elevation being 3-storeys. The scale of the rear elevation is consistent with the neighbouring dwellings which both present 3-storey elevations to Pittwater. However, whereas the adjoining dwelling at No. 64 Hudson Parade is set close to the water, the proposal is set back and the proposed first floor is well modulated to minimise visual bulk. Due to the setback of the proposal from the water, views of the proposal from the foreshore are broken up by vegetation and from the water the distance to the house will reduce the appearance of bulk.</p>  <p><i>Photo 8: The visual bulk of the rear elevation of No. 62 as viewed from the beach is broken up by foreshore landscaping and reduced due to distance.</i></p> |
| SECTION B GENERAL CONTROLS | |
| Clause & Objectives | Consistency with Objectives |
| <p>B3.1 Landslip Hazard Must comply with the requirements of the Pittwater Geotechnical Risk Management Policy.</p> | <p>Consistent A Geotechnical Assessment Report was submitted with the application. The following is an extract from the report <i>"The entire site and surrounding slopes have been assessed as per the Council Geotechnical Risk Management Policy for Pittwater 2009 and no credible landslip hazards were identified, therefore the site is considered to meet the Acceptable risk management criteria and will continue to do so for the design life of the development – taken as 50 years"</i></p> |
| <p>B3.2 Bushfire Hazard</p> | <p>Not applicable The site is not bushfire prone land</p> |

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| <p>B3.7 Estuarine Hazard All floor levels within the dwelling/parking areas, shall be at, or above, or raised to the Estuarine Planning Level (EPL).</p> | <p>Consistent The site is mapped as subject to estuarine hazard – wave action and tidal inundation. The site slopes steeply up from the northern/waterfront boundary to the rear. No works occur below the foreshore building line. All proposed works occur at the existing house, where the lower ground level is RL10.44 (AHD). As the house is located towards Hudson Parade away from the steep foreshore, the house is well above relevant Estuarine Planning Levels. The adjoining property No. 64 was identified by council as having an EPL of 2.76 AHD.</p> |
| <p>B3.11 Flood Prone Land</p> | <p>Not applicable The land is not flood prone land</p> |
| <p>B3.12 Climate Change (sea level rise) This control applies where 'intensification of development' is proposed.</p> | <p>Not applicable No intensification of development is occurring. The proposal is for alterations and additions to an existing house.</p> |
| <p>B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community Development shall restore and/or regenerate Pittwater Spotted Gum Endangered Ecological Community and provide links between remnants.</p> <p>Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.</p> | <p>Consistent The site includes several Pittwater spotted gum trees, located predominately between the road and the façade of the dwelling. No works are proposed near these gums and they will be maintained and protected. No fencing or site work is proposed as the alterations are limited to a first-floor addition to an existing house. Canopy pruning is not required to accommodate the first floor due to the distance of the surrounding canopy above the roof of the existing dwelling.</p>  <p><i>Photo 9: Pittwater spotted gums will not be impacted by the proposal.</i></p> |
| <p>B4.19 Estuarine Habitat Development shall dispose of stormwater, wastewater and other drainage in a manner that will not adversely impact on estuarine habitat.</p> <p>Development shall provide adequate buffering to estuarine habitat.</p> | <p>Consistent A Stormwater Management Plan by GNG Design plus a Environmental Site Management and Waste Management Plan have been submitted with the application. These plans show that all stormwater will be adequately buffered before it is released into Pittwater. The plan shows that the existing stormwater outlet will be upgraded to meet with NSW guidelines.</p> <p>Additionally, all construction waste and site sediment will be dealt with appropriately during the construction phase and not allowed to discharge into Pittwater. Impact upon estuarine habitats within the Pittwater Waterway, will be managed and minimised.</p> |

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| B4.22 Preservation of Trees | Consistent The proposal does not require the removal or pruning of any trees. |
| B5.13 Development on Waterfront Land Water Management Plan with supporting documentation is to be submitted demonstrating the feasibility of the proposed watercourse works within the site. | Consistent Refer Stormwater Management Plan. The Stormwater Management Plan submitted by GNG Design shows the current outlet structure for the site is to be upgraded to comply with the NSW guidelines for stormwater outlets discharging to coastal waters. No building alterations or additions are occurring on the waterside of the foreshore building line. |
| B6.3 Off- Street Carparking 2 off street spaces for 2+ bedroom dwelling | Consistent The altered dwelling will have 4 bedrooms and 2 off-street car spaces are provided in conjunction with the dwelling. |
| B8.1-8.4 Construction and Demolition | Consistent No excavation is proposed in conjunction with the proposal. An Environmental Site Management and Waste Management Plan has been submitted with the application which shows the location of sedimentation barriers that will be employed during construction to ensure there is no migration of sediment off the site and into Pittwater. |
| SECTION C DEVELOPMENT TYPE CONTROL | |
| Clause & Objectives | Consistency with Objectives |
| C1.1 Landscaping An analysis of the proposal demonstrating that the built form of the development is to be dominated and complimented by landscaping, or retaining existing vegetation, and the | Consistent The site is dominated by landscaping and satisfies council's Avalon landscape area control (Environmentally Sensitive Land). The large mature trees on the site frame the existing dwelling and ensure the dwelling presents as a building set within a landscape environment. All existing vegetation on the site is to be retained. The proposal does not increase the built footprint of the existing house over any existing landscaping, but over an existing paved area. |
| C1.2 Safety & Security A statement demonstrating how the safety and security of people using or visiting the proposed development has been addressed in the design of the proposal | Consistent The proposal is for an upgrade to a detached dwelling. The proposal will increase surveillance opportunities from the property back towards Hudson Parade and the garage/carport facilities. Additionally, lighting at the entrance to the property will be improved. |
| C1.3 View Sharing An analysis of any view loss and explanation of the design features and location of the proposed structure in terms of how the proposal seeks to achieve equitable view sharing and view retention. | Consistent For waterfront properties view protection primarily relates to the relative position of the rear building lines of potentially affected properties. In the subject case both the rear building lines of the neighbouring properties are closer to Pittwater than the rear building line of No. 62. Accordingly, the primary water views of Nos 60 and 64 Hudson Parade are not impacted by a first floor addition at the site, |

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| | <p>particularly as almost the entire dwelling at No. 64 is located forward of the rear building line of No. 62 (refer photos below).</p>  <p>Photo 10: View east along the rear building line of No. 62 showing the lower ground deck. The dwelling at No. 60 is seen projecting well past the rear building line of No. 62.</p>  <p>Photo 11: View west showing the rear building line and lower ground deck at No. 62 with the dwelling at No. 64 in the background with large balconies projecting out to Pittwater.</p> <p>No. 62 is built on the low side of Hudson Parade and the ridgeline of the existing dwelling is just slightly higher than the road platform. The proposal to add a first floor will see the maximum ridge height extend 3.73m (approx.) above Hudson Parade. The potential for this to impact views of the properties on the high side of Hudson to the south of the Site has been considered. However, the sites to the south are well elevated above Hudson.</p> |
| <p>C1.4 Solar Access 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).</p> | <p>Consistent The property to the south-west of the subject site is No. 64 Hudson Parade. The dwelling on this site is located close to the water, past the rear building line of the existing dwelling at No. 62 (refer map below). Therefore, on June 21st as the submitted solar diagrams show No. 64 maintains 3 hours of sunlight to its principal living areas (which face north-west to the water) between 9am and 3pm.</p>  <p>Figure 3: The relative rear building lines of Nos 60, 62 and No. 64 Hudson Parade. The dwelling at No. 64 sits particularly close to the water.</p> |

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| <p>C1.5</p> <p>Visual Privacy</p> <p>The proposal must achieve an acceptable level of privacy for residents and users and protect the privacy of any adjoining development.</p> | <p>Consistent</p> <p>The first floor extension is primarily a bedroom space and therefore not an area occupied for large amounts of time in the daytime.</p> <p>The western and eastern elevations of the extension are the elevations facing the neighbouring properties.</p> <p>The only windows in the western elevation (first floor) are to a shower, WC and bath. These spaces do not pose major overlooking issues, particularly as these windows are set well behind the main living areas of the dwelling to the west (No. 64 Hudson Parade).</p> <p>The eastern elevation first floor windows open onto the master bedroom and a small study. These windows are set 10m and 13m respectively, off the property boundary shared with No. 60 Hudson Parade,. Furthermore, as the house at No. 60 is set lower on the site than the subject property views from the new first floor windows will be predominantly of the roof of No. 60 (refer below).</p>  <p>Photo 12: <i>The relative levels of No. 62 and No. 60 Hudson Parade. A first-floor extension at No. 62 will look over the roof of No. 60.</i></p>  <p>Photo 13: <i>The corner of the roof of No. 62 is seen in the foreground of the photo with the roof of No. 60 in the background.</i></p> <p>The minimum setback of the first-floor balcony off the western and eastern side property boundaries is set 5.5m and 10.2m respectively. As the living rooms of the adjoining houses are set further to the north than the balcony it will have limited overlooking impacts.</p> <p>In summary it is considered the first-floor extension will not have a material adverse impact on the privacy of the adjoining neighbours.</p> |
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| C1.6 Acoustic Privacy An analysis outlining how the proposal achieves an acceptable level of acoustic privacy for residents and users and protects the acoustic privacy of any adjoining development | Consistent The proposal does not propose any large outdoor entertaining areas off existing living areas. The proposal is for a first-floor bedroom addition to a detached dwelling. The setbacks of the addition comply with council's controls and as the residential use of the property is continued it is expected an acceptable level of acoustic privacy will be maintained. |
| C1.7 Private Open Space Minimum 80m ² 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. Within the private open space area, a minimum principal area of 16m ² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%). | Consistent The private open space of the dwelling is well situated to the north of the dwelling looking out onto Pittwater. This area exceeds 80sqm. A balcony area off the ground floor provides for a level space larger than 16sqm with a minimum dimension of approximately 4m (varies due to articulated elevation). |
| C1.23 Eaves Dwellings shall incorporate eaves. | Consistent The dwelling incorporates eaves on all elevations. |
| C1.12 Waste & Recycling Facilities | Consistent The proposal allows for waste and recycling facilities within the garage. |
| SECTION D LOCALITY SPECIFIC DEVELOPMENT CONTROLS (Avalon Beach Locality) | |
| Clause & Objectives | Consistency with Objectives |
| D1.1 Character as viewed from public place | Consistent The proposal achieves a high quality design and is consistent with desired future character of the area. The proposal remains subservient to the natural landscape due to the large trees framing the dwelling. The proposal is also well articulated, resulting in an attractive waterfront elevation where the scale is consistent with built surrounds and complements rather than dominates the natural environment. The bulk of the proposal has been minimised as viewed from the Pittwater Waterway. The proposal includes the following features facing out to the waterway which assist with reducing visual bulk and provide modulation: - <ul style="list-style-type: none"> • balcony to the first floor; • A projecting roof form over the balcony which divides the mass of the roof behind. • open, deep verandahs, which provide shadowing and interest on the facade (ground floor level) Natural hazards were considered in the design of the proposal and through consultation with Geotechnical engineers it has been confirmed that a first floor can be safely accommodated on the existing residence (refer submitted Geotechnical report). |

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| D1.4 Scenic Protection An analysis of the development in terms of how it impacts on the visual character of the area, | Consistent Refer above. From Pittwater the bushland landscape is the predominant feature of the site. This will not alter with the first storey as the surrounding trees are so large and will continue to be the main visual focus of the site. |
| D1.5 Building Colour and materials Earthy, dark natural colours | Consistent Neutral recessive colours will be used for the first-floor extension to ensure it blends with the surrounding bush landscape. |
| D1.8 Front Building Line Consistent with setback in street or 6.5m whichever is greater. | Existing The proposal does not alter the existing front building line. The site is unusual in that there is a large, vegetated verge between Hudson Parade and the front boundary of the site. |
| D1.9 Side Building line 2.5m to one boundary 1m to the other | Consistent The first-floor extension is set 3m off the western boundary and a minimum of 9m off the eastern boundary. The proposal fully complies with council's requirements. |
| Rear Building Line 6.5m except where FSBL | Consistent The site is subject to a Foreshore Building Line. The existing dwelling sits well landward of the Foreshore Building line and the first-floor extension sits a minimum of 1.5m back from the rear building line of the existing dwelling. The proposal complies with council's requirement. |
| D1.11 Building Envelope 3.5m height at boundary 45-degree projection. * variation permissible for steeply sloping sites | Consistent (variation applied) The proposal substantially complies with council's building envelope control. However, there is a small non-complying area where the first-floor roof extends over subfloor area (lower ground level). The non-complying area is minor, and it is considered that while the numerical control has been contravened the objectives of the building envelope and height control have been achieved (refer height assessment page 10,11). The proposal is consistent with the scale of the adjoining dwellings and due to the surrounding tall tree canopy will not dominant the natural environment. Furthermore, the non-compliance has come about due the site having a slope of 30% across the footprint of the building. |
| D1.14 Landscape Area – Landscape Area 1 (Environmentally Sensitive land) - 60% of site area is required to be landscape area. Variation Paths less than 1metre in width, deck areas less than 1metre above natural ground level and impervious landscaped treatments within the landscaped area are permitted as a variation to this control up to a total of 6% of the site area. | Consistent The existing dwelling currently complies with the 60% landscaped area requirement. As the proposal does not alter the built footprint of the house it will continue to comply with council's requirement. Compliance shows the dominance of the natural environment on the site. Looking at the site using aerial mapping shows how well vegetated the site is. |
| D1.20 Scenic Protection Category 1 Area | Consistent Refer to material and colour palette submitted with the application. Materials and colours have been |

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| <p>Visual character to be considered – want landscaping to water, materials, colours recessive non-reflective</p> <p>Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves. Development is to minimise the impact on existing significant vegetation.</p> | <p>chosen to help blend the dwelling with the natural environment, thereby ensuring the bushland remains the dominant feature of the foreshore of Pittwater.</p> <p>The dwelling is surrounded by tall trees, including a number which sit between the dwelling and the foreshore. All of these trees are to be retained. As the dwelling is not situated on a ridgeline and will remain well under the canopy of surrounding trees, it is considered the natural landscape will remain the primary feature of the site.</p> |
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4.6 THE LIKELY IMPACTS OF THE DEVELOPMENT

In accordance with section 4.15(1)(b) of the EP&A Act, the likely impacts of the development have been addressed in the preceding parts of section 4. The proposal is for a first-floor addition to a detached dwelling. The proposal complies with council's provisions regarding maximum height of the dwelling (using allowable variation), no cut and fill is involved, no vegetation is to be removed and the privacy, overshadowing and view impacts on the neighbours are minimal. The visual impacts of the proposal from Pittwater have been considered and as the dwelling will be viewed within a framework of tall, surrounding trees and the waterfront elevation is well modulated it is considered the native vegetation will remain the dominant features of the site as viewed from the waterway.

4.7 THE SUITABILITY OF THE SITE

In accordance with section 4.15(1) (c.) of the EP&A Act, the site's suitability for the subject proposal must be established.

The site is zoned E4 Environmental Living zone and the objectives for this zone are:

- ☐ 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.

The proposal to upgrade a family home with the first floor addition and the minor ground floor addition of 5.5m² to the built footprint of the house is considered consistent with the above objectives. The proposed works touches the site lightly no cut or fill is proposed, and vegetation removal/pruning is not required. The proposal is not located on a ridge and therefore remains subservient to the existing tall tree canopy that frame the house. Additionally, the waterfront elevation of the dwelling has been well articulated to minimise visual bulk as viewed from the Pittwater waterway. As the proposal achieves the desired character for the area expressed in the zoning objectives the site is considered suitable for the development.

4.8 PUBLIC INTEREST

Under section 4.15(1)(e) of the EP&A Act the public interest is to be considered.

- ☐ The proposal complies with the provisions of the relevant SEPPs including SEPP (Coastal Management) 2018
- ☐ The proposal complies with the provisions of the Pittwater LEP 2014 including the objectives of the relevant zone (E4 Environmental Living).
- ☐ The proposal is consistent with the provisions of the Pittwater DCP.
- ☐ The impacts of the proposal on adjoining neighbor and environment are minimal and the visual appearance of the dwelling as seen from Pittwater has been assessed and is considered acceptable.

For the reasons listed above the proposal is considered in the public interest because it will facilitate the improvement of a family home, in a manner consistent with the desired future character for the area.

5 CONCLUSION

The proposed development has been assessed in accordance with section 4.15 of the Environmental Planning and Assessment Act 1979. The subject site is zoned E4 Environmental Living which permits alterations and additions to dwelling houses with development consent from council.

The view of the site from Pittwater and the land/water interface have been considered. Due to the nature of the proposed works, the distance of the dwelling from the water and the screening/backdrop provided by foreshore vegetation, it is considered the visual impact of the proposal will be limited. The framework of tall trees around the house will remain the feature focus of the site. Consideration has also been given to coastal processes and hazards; however, geotechnical advice has verified the *"site will meet the 'Acceptable' risk management criteria for the design life of the development"*.

Overall, the proposal is a balanced response to council's planning controls, the constraints of the site and the needs and expectations of the client and adjoining property owners.