



## STATEMENT OF ENVIRONMENTAL EFFECTS

*3 Riverview Road,  
AVALON BEACH*

*‘New tennis court with pavilion, driveway  
alterations with new arbor, security gate,  
landscaping and drainage’*

**September 2021**

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## 1.0 INTRODUCTION

- 1.1 This statement has been prepared on behalf of the applicant in support of a development application to Northern Beaches Council (the "Council") for the construction of a new tennis court and pavilion plus other minor works being ancillary to the existing dwelling located at 3 Riverview Road, Avalon.
- 1.2 The proposal is a new tennis court at the front of the existing waterfront property. The site currently contains a detached dwelling, boathouse with access off Riverview Road and water views to Pittwater. The proposal includes the tennis court plus basketball hoop, screen fencing (permanent and retractable), an Arbor over the new entrance gate (operable security gate), modification of the driveway and construction of a two storey pavilion.
- 1.3 The proposal has been designed to achieve the aims and objectives of the Pittwater LEP 2014 (PLEP 2014) and Pittwater 21 DCP (PW21). The proposal achieves the primary built form objectives of both planning instruments and delivers the new tennis court and pavilion without undue impact on the streetscape, surrounding area, biodiversity or the residential amenity of adjoining properties.
- 1.4 The site is zoned E4 Environmental Living under PLEP 2014. The site is a heritage item (Little House "Yoorami") but is not located within the heritage conservation area or in the vicinity of any heritage items. A Heritage Impact Assessment, prepared by Zoltan Kovacs Architect, dated June 2021 is submitted with the DA package supporting the application.
- 1.6 The application is supported by architectural drawings prepared by SJB Architects, shadow diagrams, landscape plans, schedule of external materials, colours and finishes, stormwater drainage plan, geotechnical report and Heritage Impact Statement (HIS).
- 1.7 The proposal represents local development and is assessed under Part 4 of the *Environmental Planning and Assessment Act, 1979*. This statement has been prepared pursuant to Section 4.12(9) of the *EP&A Act 1979*, and cl 47 and Schedule 1, Part 1, Clause 2(c) of the *Environmental Planning and Assessment Regulation 2000*.
- 1.8 Therefore, it is with confidence that the subject proposal is submitted to Council for approval.

## 2.0 DESCRIPTION OF SITE AND LOCALITY

### 2.1 Site Description

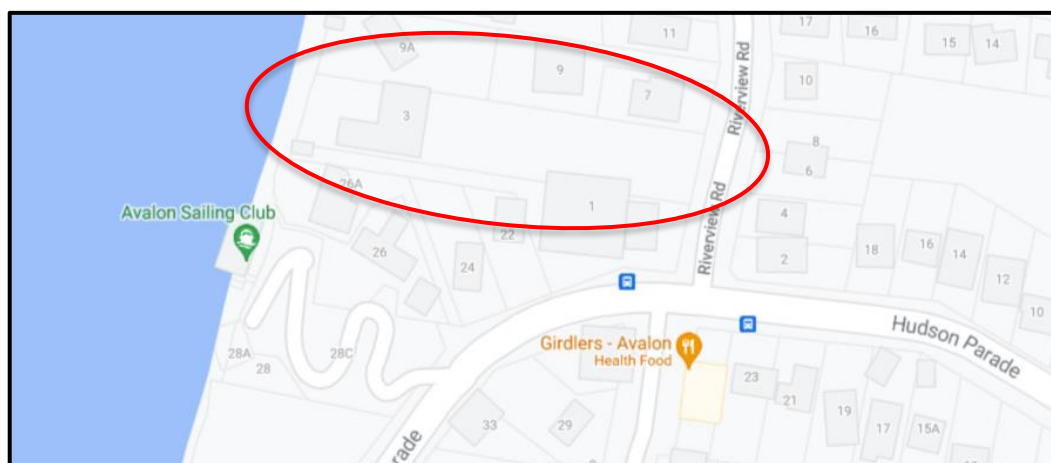
The subject site is legally described as Lot 6 DP 3632, No 3 Riverview Road, Avalon. The site has a total area of approximately 3,810m<sup>2</sup>. The Riverview Road frontage is 26.4m, and side boundaries of 145m (northern) and southern boundary of 139m, waterfront boundary of approximately 26m. Access to the site is from two domestic crossovers and circular driveway off Riverview Road. The site has east-west orientation from the street.

The property was designed by Australian architect and furniture designer Douglas Snelling and built in 1965. The residence consists of a series of split-level living spaces under low-lying timber shingle skillion roofs, with exposed timber structural beams which follow the slope of the site to the waterfront.

These elements are contrasted with asymmetrical brick massing cantilevered out and across the site. Landscape elements such as ponds and planter boxes surround the roofs linking external to internal spaces. The residence is centred around a raised North-Western facing pool terrace with views over Pittwater to nearby Ku-Ring-Gai National Park.

Three DA's have been granted by Northern Beaches Council for the internal and external alterations to update the residence. DA2018/1616 was granted on 22.3.2019, with further modification in Mod2019/0485 granted on 9.12.2019 and Mod2020/0085 granted on 24.4.2020.

Figures 1-2 show the site location, and aerial of the subject site.



**Figure 1: Location of the subject site**





**Figure 2: Aerial view of subject site**



**Figure 3: Existing site plan (SJB Architects 2021)**



**Figure 4: Existing residence (view from the Jetty) (Source: HER Assessment, Kovac Architects, 2021)**

### **3.0 DESCRIPTION OF PROPOSAL**

The proposed works comprise the construction of a new tennis court with permanent and retractable screens, basketball hoop, pavilion, alterations to driveway access with arbor over entry and security gate (operable), landscaping and associated drainage.

The development has been sited to avoid the removal of existing landscaping where possible. Approximately nine (9) trees require removal as they are located within the development area.

#### **3.1 Site Works**

- Vegetation removal – approx. 9 trees
- Cut and fill for siting of tennis court and two storey pavilion
- Modification of driveway location to existing parking

#### **3.2 Construction**

##### Tennis Court (no lighting)

Construction of tennis and basketball hoop (16.1m wide x 32m long court area).

- Court area to be enclosed by fixed mesh screen with vertical vine planting along northern and eastern side (facing the street) and extractable mesh screen along parts of southern, eastern and western boundaries
- Basketball hoop to be located at eastern end of court area

##### Pavilion

Construction of a tennis court pavilion. The pavilion is located on the house side of the court area, excavated into the site to provide an upper level equal to the court area. There is direct access from the upper level of the pavilion to the court area.

- Lower pavilion (181m<sup>2</sup>) and small terrace with bifold doors: Games room with built-in bar, seating bathroom and sewing room
- Upper pavilion (34m<sup>2</sup>) with large terrace (3.2m wide): room with built-in bar, full width sliding doors to tennis court area and circular stairs to lower pavilion, powder room and small storeroom
- Roof with skylight over circular stairway and solar panels (12 panels)

##### Driveway and Arbor

- Construction of timber arbor with overplanting above entry driveway.
- New security sliding gateway and intercom
- Modification of the driveway around the court area
- Modification of the street crossover to single only

##### Ancillary

- New landscaping of the court area of the site (as per landscape plans)
- Planters on upper level pavilion terrace
- Stormwater drainage management
- Main switchboard retained in current location with bin storage behind

### 3.3 DA Plans

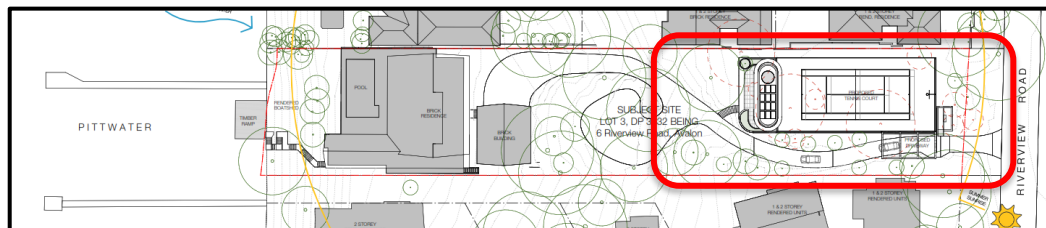


Figure 5: Proposed site plan showing main area of proposed works

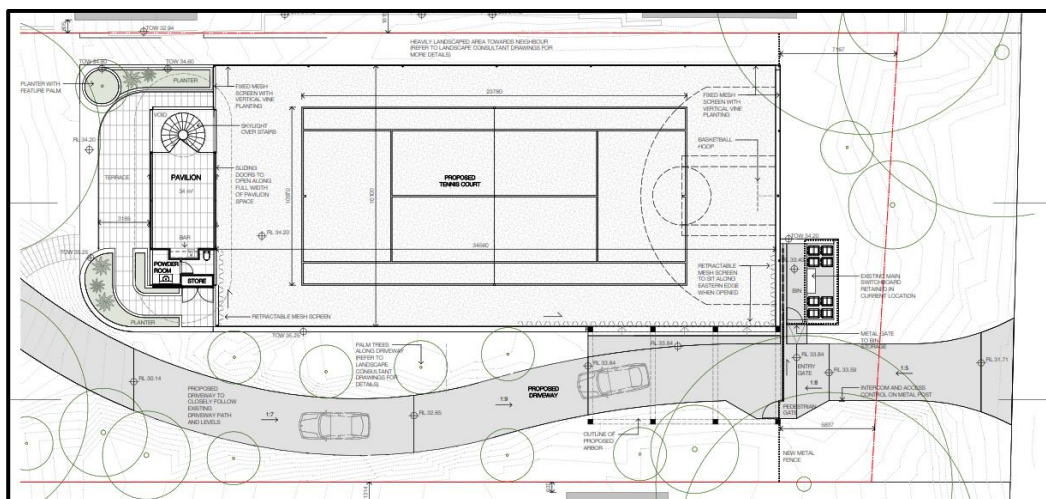


Figure 6: Proposed site plan of court area, pavilion and associated site works

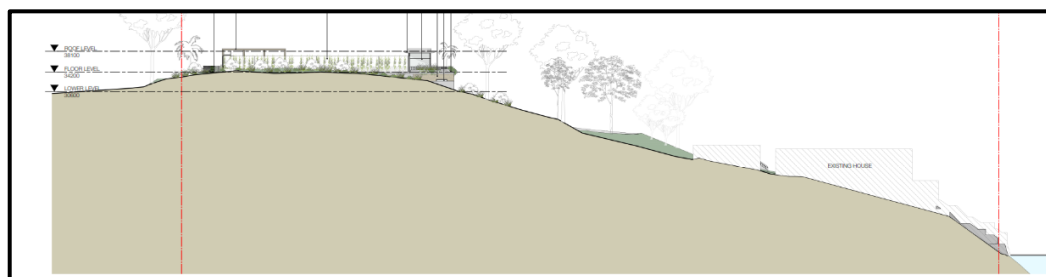


Figure 7: Proposed northern elevation – fixed mesh fence with climbing plants over

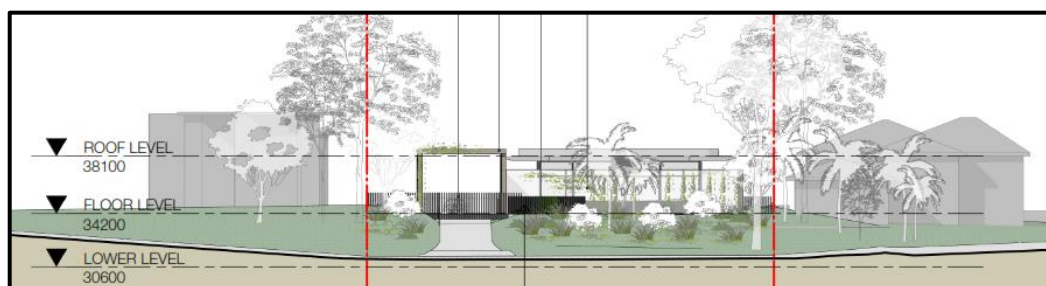


Figure 8: Proposed eastern elevation (facing street) - gateway is 14.3m from edge of road





Figure 9: Proposed western elevation (internal to the site – without existing residence)

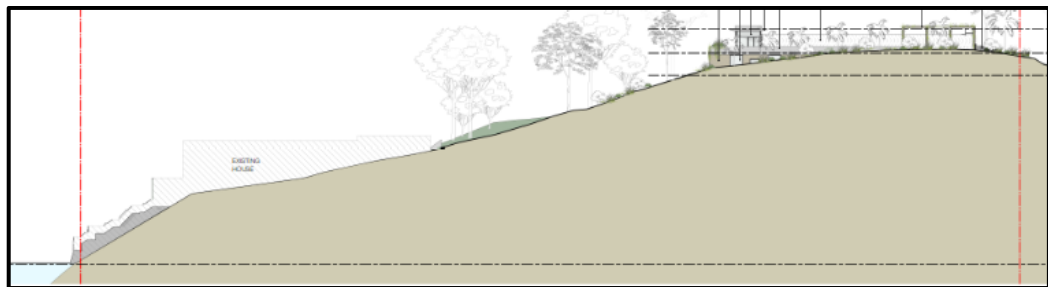


Figure 10: Proposed southern elevation with retractable screen



Figure 11: Proposed southern elevation with retractable screen

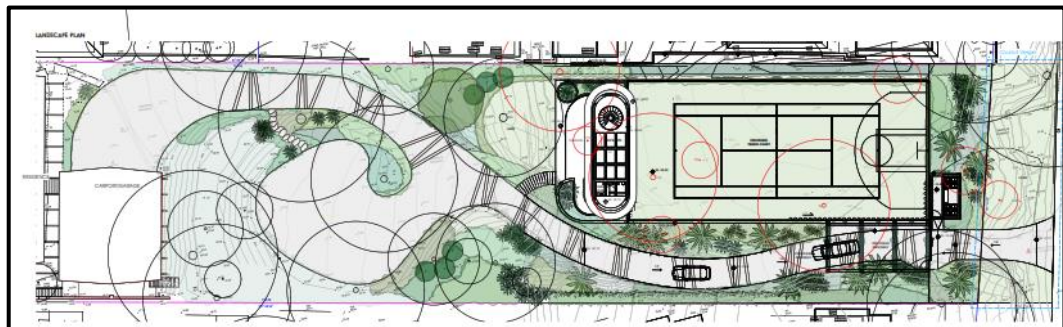


Figure 12: Proposed Landscape Plan (Source: Dangar Barin Smith, August 2021)



#### 4.0 **SECTION 4.15 ASSESSMENT – HEADS OF CONSIDERATION**

In accordance with s4.15 of the *EP&A Act 1979* the following matters shall be considered in determination of the development application.

##### **4.1 Relevant Statutory Environmental Planning Policies**

The following statutory planning policies have been considered as part of the assessment.

##### **4.1.2 SEPP No. 55-Remediation of Land**

The aim of SEPP 55 is to ensure that a change of land use will not increase the risk to health particularly in circumstances where a more sensitive land use is proposed.

Standard conditions will suffice in this instance given the site has a long and established history of residential use. No further soil assessment is required given that the site has not been used for any other purpose other than for residential development. No commercial or industrial zones have applied to the site.

##### **4.1.3 SEPP (Coastal Management) 2018**

###### ***Aim of Policy***

*The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by—*

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and*
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and*
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

The subject site is located in the coastal zone and the provisions of the SEPP apply. Notwithstanding the location of the proposed works within the property are between the existing residences and the road. There are no physical works on the waterway side of the residence.

In terms of water quality, a Stormwater Management Plan is submitted with the DA package addressing the collection, detention and disposal of stormwater water from the development site within the property. With the proposed treatment train in place, water quality will not be impacted. Further, sediment and erosion measures, during the site works and construction phase of the development are addressed within the engineering details provided with the DA package.

Overall, the proposal will not result in any increased risks related to coastal hazards on the land and Council can be satisfied that all relevant environmental measures will be implemented to ensure the coastal environment is maintained.

#### 4.1.4 State Environmental Planning Policy (Vegetation in Non-Urban Areas) 2017

This policy applies to the Northern Beaches LGA. It replaces the vegetation preservation clause in the PLEP, having come into effect on 25 August 2017. The stated aims of the policy are to 'protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation'.

##### **Clause 7.2 Earthworks**

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

Earthworks are part of the proposed development, being preparatory site works and excavation of the pavilion, tennis court area and modified driveway.

In response to the proposed excavation for the pavilion and court the applicant engaged the services of a geotechnical engineer to prepare a geotechnical report. The report has been prepared by Assetgeoenviro dated 23<sup>rd</sup> September 2021. The report reviews the site risk based on the proposed works and provides certain conditions (see below) in order to manage excavation and vibration.

In deciding whether to grant development consent for earthworks the consent authority must consider the following matters—

*(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*

Comment: The DA package includes a stormwater management plan for the development. Stormwater across the site is to be collected and adequately disposed of via an engineered designed system. In this regard refer to the details submitted with the DA. The Geotech report deals with soil stability and identifies the site as a 'P' site and logs the risk as being acceptable. This is contingent on the following conditions of consent being adopted:

##### **6. Recommended Development Approval Conditions**

*The following conditions should be included with the development approval:*

*(i) Conditions to be provided to establish the design parameters*

*The development shall be carried out in accordance with the requirements and recommendations of the Geotechnical Assessment by AssetGeoEnviro dated 23 September 2021 (Ref: 5803-2-G1), and in accordance with further geotechnical assessment and advice to be provided during design development and construction.*

*(ii) Conditions applying to the detailed design to be undertaken for the construction certificate*

*Structural design relating to the geotechnical aspects of the proposed development shall be checked and certified by a suitably qualified and experienced Geotechnical Engineer as being in accordance with the geotechnical recommendations.*

*(iii) Conditions applying to the construction*

*Inspection shall be carried out by a suitably qualified and experienced geotechnical engineer during construction at the following stages, to ensure that the requirements of the geotechnical report are followed:*

- a. Footing excavations shall be inspected prior to pouring concrete.*
- b. Subsurface drains shall be inspected prior to backfilling.*
- c. All cut batters shall be inspected immediately after cutting and remedial works carried out as directed by the geotechnical engineer.*

- d. Rock excavation using hammers (if required) shall be observed at the commencement of excavation to ensure that excavation techniques and equipment do not damage immediately adjoining structures.*

*(iv) Conditions regarding ongoing management of the Site/structure*

*There are no specific requirements for ongoing maintenance of the site/structures with respect to slope instability risk.*

- (b) the effect of the development on the likely future use or redevelopment of the land,*

Comment: The proposed earthworks are integral to the proposal. The consultant reports adequately address any potential contamination matters and geotechnical issues with the development. In each case it is concluded that the site is suitable for the development, as proposed subject to the conditions articulated in section 6 of the geotechnical report.

- (c) the quality of the fill or the soil to be excavated, or both,*

Comment: The soil to be excavated is able to be safely removed from the site. Should any unknown finds occur during the demolition and excavation phase of development, mitigation measures in accordance with the NSW SafeWork and EPA Regulations will commence immediately. Conditions deal with the request for the geotechnical engineer to be called to site if issues arise. Full structural design is to be provided with the CC.

- (d) the effect of the development on the existing and likely amenity of adjoining properties,*

Comment: A dilapidation report can be conditioned to be prepared as part of the Construction Certificate documentation. Further, excavation will be inspected regularly as it progresses to ensure the allowable bearing pressure has been achieved by suitably qualified and experienced engineers. Conditions to be imposed in accordance with the Geotech report. Geotech report has been prepared prior to DA determination in this case. Geotech would typically be done post DA and prior to CC.

- (e) the source of any fill material and the destination of any excavated material,*

Comment: Soil is to be taken to an authorised landfill site; any small rocks to a Waste Transfer Station for landfill. Refer to the Waste Management Plan submitted with the DA package.

- (f) the likelihood of disturbing relics,*

Comment: Given the residential nature of the use of the site over many decades, it is not anticipated that the use contains any significant relics. Should any unknown finds be made, they will be handled in accordance with the provisions of the NSW Heritage Act 1977.

- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*

Comment: None. The proposed works are not located near the waterway. Erosion and sediment control measures will be put in place to ensure no runoff from the works area. The excavation works are sufficiently setback from the waterway so as not to cause significant adverse impacts with soil sediment control measures in place. Sufficient separation exists between the excavation area and the waterway to prevent significant water pollution risk.

*(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,*

Comment: A Construction Management Plan (CMP) will be prepared as part of the Construction Certificate documentation. This CMP will outline, based on known facts of the site and current regulation for unknown finds, the procedure to address potential impacts of the proposal on the surrounding area.

*(i) the proximity to and potential for adverse impacts on any heritage item, archaeological site or heritage conservation area.*

Comment: The site is a heritage item. A Heritage Impact Assessment, prepared by Zoltan Kovacs Architect, dated June 2021 is submitted with the DA package. The outcomes of the report have been documented elsewhere in this SEE.

#### **4.1.5 Pittwater LEP 2014 (PLEP 2014)**

##### **1.2 Aims of Plan**

*(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*

*(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,*

*(c) to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,*

*(d) to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future,*

*(e) to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,*

*(f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,*

*(g) to protect and enhance Pittwater's natural environment and recreation areas,*

*(h) to conserve Pittwater's European and Aboriginal heritage,*

*(i) to minimise risks to the community in areas subject to environmental hazards including climate change,*

*(j) to protect and promote the health and well-being of current and future residents of Pittwater.*

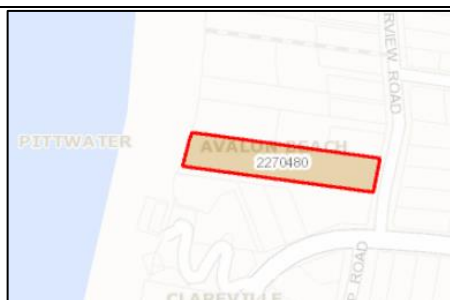
The proposal satisfies the stated objectives given that:

- Ability to maintain and improve where possible the residential character of the area;
- No perceptible visual dominance of the tennis and pavilion when viewed from the water;
- The development achieves a high standard of urban design and architectural merit in relation to the existing heritage listed residence;
- Materials are of a high quality so as to present a refined and well executed court area and pavilion;
- The use of fixed and retractable screens provides privacy or open views to the site, whichever is needed from adjoining properties.
- The streetscape is not unduly altered by the modified entry to the site
- Tree removal retention is optimised for the site with only those trees within the works area to be removed.



Overall, the site is of sufficient size to accommodate the proposal. The character of Avalon is established by the mixture of built form residences set within a vegetated backdrop, with varied water views to Pittwater. A qualitative analysis of the proposal concludes that the proposal achieves the objectives of the controls of the LEP and DCP are achieved.

PITTWATER LEP 2014		
Planning Control	Comment	Complies
<b>Zone E4 Environmental Living</b> <ul style="list-style-type: none"> <li>To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.</li> <li>To ensure that residential development does not have an adverse effect on those values.</li> <li>To provide for residential development of a low density and scale integrated with the landform and landscape.</li> <li>To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.</li> </ul> <b>2 Permitted without consent</b> Home businesses; Home occupations. <b>3 Permitted with consent</b> 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. <b>4 Prohibited</b> Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3.	<p>The proposal satisfies the stated residential objectives given that:</p> <ul style="list-style-type: none"> <li>The proposal maintains the low-density residential nature of the area.</li> <li>The construction and built form solution for the tennis court and pavilion fits with the surrounding area and maintains the local character of the area, particularly when viewed from the street and the waterway.</li> <li>The scale of the pavilion, from the water is 2 storeys, stepped up the site from the existing residence and is lower than the adjoining residences. The perceived scale of the structure is reduced due to the part excavated nature of the pavilion</li> <li>The proposal addresses the amenity of the adjoining residents and provides suitable setbacks.</li> <li>Proposal supported by geotechnical report as well as drainage design to minimize environmental impacts.</li> </ul>	Yes
<b>4.3 Height of buildings</b>  <i>The height of a building on any land is not to exceed the maximum height shown for the land on the <u>Height of Buildings Map</u>.</i>  <i>The height of buildings map (HOB_16) sets a building of 8.5m for the subject site.</i>	<p>The overall height of the pavilion, surrounding screens and arbor are less than 8.5m.</p> <p>Refer to the section plans submitted with the DA plan set.</p> <p>Complies.</p>	Yes
<b>4.4 Floor space ratio</b>	Not applicable to this development.	N/A
<b>5.10 Heritage conservation</b>	The site is locally listed heritage item, is not located in the vicinity of	Yes



any heritage items and is not in a conservation area.

It is not on the NSW State Heritage Register but is listed in the RAI Register of 20<sup>th</sup> Century Buildings of Significance.

A HIS is submitted with the DA package detailing the relationship of the proposal to the residence and its setting.

The HIS concludes:

*"Having examined the heritage impact of the development on the significance of the heritage item, the following can be concluded:*

- *the proposed demolition will only remove fabric of no significance;*
- *the culturally significant heritage item and its setting are retained;*
- *the proposal will not diminish the design intent of the original architect, Douglas Snelling;*
- *the new development will not affect the existing curtilage and visual setting of the heritage item; and*
- *the high architectural merit of the proposal will enhance the understanding of the heritage item by creating a valuable contemporary layer executed in a cohesive manner with the work of the original architect, Douglas Snelling.*

*The proposed development does not affect the natural environment and it has a positive impact on the European cultural heritage of Pittwater.*

Having regard to the above findings the Council can be reasonably satisfied that the proposal maintains the heritage values of the site. The owner has engaged skilled architects to create a landscape feature on the site. The materiality adopted for the project is of a high quality with landscape augmentation of the site that will enhance the landscape character.

<p><b>7.6 Biodiversity</b></p> <p><i>(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by—</i></p> <p><i>(a) protecting native fauna and flora, and</i></p> <p><i>(b) protecting the ecological processes necessary for their continued existence, and</i></p> <p><i>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</i></p> <p><i>(2) This clause applies to land identified as "Biodiversity" on the Biodiversity Map.</i></p> <p><i>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—</i></p> <p><i>(a) whether the development is likely to have—</i></p> <p><i>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</i></p> <p><i>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</i></p> <p><i>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</i></p> <p><i>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</i></p> <p><i>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p> <p><i>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</i></p> <p><i>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i></p> <p><i>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</i></p> <p><i>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</i></p>	<p>An Arboricultural Report, prepared by Ross Jackson Nature Works, dated 3<sup>rd</sup> September 2021 is submitted with the DA package.</p> <p>Fifteen (15) trees on the site are assessed as part of the proposal.</p> <p>The results, as proposed by the Arborist Report is:</p> <p>The following recommendations are advised:</p> <ul style="list-style-type: none"> <li>• Retain the following Council street trees: Tree 1 &amp; 3.</li> <li>• Remove the following trees on site: Tree 2, 7, 8, 9, 10, 11, 12, 13 &amp; 14. c)</li> <li>• Retain the following neighbour's trees: Tree 4, 5 &amp; 6.</li> <li>• Retain the following tree on site: Tree 15.</li> <li>• Install Tree Protection Measures around the retained street tree: Tree 1, 3.</li> <li>• Existing boundary fences or walls are to be retained shall constitute part of the tree protection fence where appropriate.</li> <li>• A sign is to be erected on the tree protection fences of the trees to be retained that the trees are covered by Council's tree preservation orders and that "No Access" is permitted into the tree protection zone.</li> <li>• Trunk protection shall consist of a padding material such as hessian or thick carpet underlay wrapped around the trunk. Timber planks (50mm x 100mm or similar) shall be placed over the padding and around the trunk of the tree at 150mm centres. The planks shall be secured with 8-gauge wire or hoop steel at 300mm spacing. Trunk protection shall extend a minimum height of 2 metres on Tree 1, 6 &amp; 15.</li> <li>• Install the Tree Protection Measures around the retained trees on site: Tree 1, 3, 4, 5, 6 &amp; 15,</li> <li>• Prepare a Tree Management Plan as part of the Construction Certificate by a consulting arborist who holds the Diploma in</li> </ul>	<p>Yes</p>
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	<p>Horticulture (Arboriculture), Level 5 or above under the Australian Qualification Framework.</p> <ul style="list-style-type: none"> <li>An AQF Level 5 Project Arborist shall be engaged to supervise the building works and certify compliance with all Tree Protection Measures.</li> </ul> <p>Refer to the tree location plans and appendices of the Arborist Report together with the Landscape Plan set for proposed plantings around the work areas.</p> <p>Based on the above findings by Ross Jackson the Council can be reasonably satisfied that the tree removal is acceptable in this instance.</p>	
<p><b>7.7 Geotechnical hazards</b></p> <p><i>(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards—</i></p> <p><i>(a) matches the underlying geotechnical conditions of the land, and</i></p> <p><i>(b) is restricted on unsuitable land, and</i></p> <p><i>(c) does not endanger life or property.</i></p> <p><i>(2) This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the <u>Geotechnical Hazard Map</u>.</i></p> <p><i>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks—</i></p> <p><i>(a) site layout, including access,</i></p> <p><i>(b) the development’s design and construction methods,</i></p> <p><i>(c) the amount of cut and fill that will be required for the development,</i></p> <p><i>(d) waste water management, stormwater and drainage across the land,</i></p> <p><i>(e) the geotechnical constraints of the site,</i></p> <p><i>(f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p> <p><i>(4) Development consent must not be granted to development on land to which this clause applies unless—</i></p> <p><i>(a) the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and</i></p>	<p>Northrop Civil Engineering have prepared plans for the bulk earthworks &amp; erosion and sedimentation control for the site. Cut and fill areas are shown on the civil engineering plans.</p>	Yes



<p><i>(b) the consent authority is satisfied that—</i></p> <p><i>(i) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or</i></p> <p><i>(ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or</i></p> <p><i>(iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.</i></p>		
<p><b>7.10 Essential services</b></p> <p><i>(a) the supply of water,</i></p> <p><i>(b) the supply of electricity,</i></p> <p><i>(c) the disposal and management of sewage,</i></p> <p><i>(d) stormwater drainage or on-site conservation,</i></p> <p><i>(e) suitable vehicular access.</i></p>	<p>All essential services are available to the site and capable of supplying the proposed development.</p>	<p>Yes</p>

## 4.2 Any Draft Environmental Planning Instruments

There are no known draft planning instruments that would impact on the assessment of the subject application.

### 4.32 Non-Statutory Development Control Plans

#### 4.3.1 Pittwater 21 Development Control Plan (PW21)

Pittwater 21 DCP is the policy applying to development in the Pittwater section of the Northern Beach LGA. The purpose of the plan is to provide additional planning and building guidelines than are available in PLEP 2014.

Section 3.42 of the Environmental Planning and Assessment Act 1979 states that the principal purpose of development control plans is to “provide guidance” on land use zone objectives and the aims of the relevant environmental planning instrument. Council is not compelled to apply the DCP controls in a strict manner and to the contrary is required to apply DCP in a flexible manner.

Section 4.15(3A) of the *EP&A Act 1979* clarifies that if a development application does not comply with the controls of a DCP, the consent authority is to be “flexible in applying those provisions” and to allow for “reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development”.

Pittwater 21 DCP	
Relevant DCP provisions	Proposal
<b>SECTION B GENERAL CONTROLS</b>	
<b>B1 Heritage Controls</b>	
	<p>Site is not located with a Heritage Conservation Area. The relevant heritage considerations have been addressed in the HIS submitted with the</p>

	<p>DA. The dwellings primary view point is from the water and as such the proposal has limited to no adverse impact when viewed from the water.</p> <p>No additional requirements other than to comply with the approved plans and the material schedule developed by the architects which is supported by the heritage consultant.</p>
<b>B2 Density Controls</b>	
<b>B3 Hazard Controls</b>	
Pittwater_Certified_Bushfire_Prone_Land_Map_2013.pdf	<p>The proposed development is located between the existing residence and the landward frontage of Riverview Road. The proposal is well above the Estuarine Planning Level of the subject site and will not be impacted by any coastal processes.</p> <p>The proposal is also not subject to any of the following:</p> <p>Landslip, bushfire, flood, climate change (sea level rise) hazards.</p> <p>Potential contamination has been investigated. Refer to the SEPP 55 comments in Section 4.1.2 of this Statement. Application supported by a Geotech report dealing with soil stability and excavation associated with the pavilion.</p>
<p><b>B3.7 Estuarine Hazard - Low density residential</b></p> <ol style="list-style-type: none"> <li>1. Obtain Estuarine Planning Level</li> <li>2. Protection of Development from Wave Action and Tidal Inundation</li> <li>3. General to all Development</li> </ol> <p>The following applies to all development:</p> <ul style="list-style-type: none"> <li>• All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes; and,</li> </ul>	<p>The subject site is located within the Estuarine Hazard mapped area.</p> <p>The base Estuarine Planning Level (EPL) is RL 2.76m AHD (established within prior DA for alterations to existing residence).</p> <p>The lowest level of the proposed works that are to this application is RL 30.6m AHD. This is 27.84m above the base EPL.</p> <p>The proposal is over 100m away from the water. The proposal meets the requirements of the DCP and there are no requirements to be addressed by the application.</p>

<ul style="list-style-type: none"> <li>• All structural elements below the Estuarine Planning Level shall be constructed from flood compatible materials; and,</li> <li>• All structures must be designed and constructed so that they will have a low risk of damage and instability due to wave action and tidal inundation; and,</li> <li>• All electrical equipment, wiring, fuel lines or any other service pipes and connections must be waterproofed to the Estuarine Planning Level; and,</li> <li>• The storage of toxic or potentially polluting goods, materials or other products, which may be hazardous or pollute the waterway, is not permitted below the Estuarine Planning Level; and,</li> <li>• For existing structures, a tolerance of up to minus 100mm may be applied to the Estuarine Planning Level in respect of compliance with these controls.</li> <li>• To ensure Council's recommended flood evacuation strategy of 'shelter-in-place', it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.</li> </ul>	
<b>B4 Control Relating to the Natural Environment</b>	
	<p>The subject site is not subject to any of the following and/or the development does not impact on any of the following:</p> <p>Flora and Fauna, Wildlife corridors, adjoining bushland, mangrove conservation, wetlands, littoral rainforest, heathland, or estuarine waterways.</p>
<b>B5 Water Management</b>	
	<p>Refer to the Stormwater Management Plan submitted with the DA documentation. A soil and sediment erosion plan will be adopted to present any runoff to the water way and to adjoining properties.</p>
<b>B6 Access and Parking</b>	
<b>B6.1 Access driveways and works on the Public Road Reserve</b>	<p>Any works on or within the public road reserve will be subject to a Section 138 Application to Council. This application will follow the DA approval prior to CC.</p>

<b>B6.2 Internal Driveways</b>	<p>Access from Riverview Road is via a private driveway on the southern side of the tennis court. Part of the driveway is reconfigured to take account of the siting of the tennis court and the bulk earth works required.</p> <p>Vehicles can safely access the site and manoeuvre within the site.</p>
<b>B6.3 Off-Street Vehicle Parking Requirements</b>	No change to existing.
<b>B6.5 Access Driveways and Works on Road Reserves on or Adjacent to a Main Road</b>	To be subject to a Section 138 application to Council for driveway crossover and any associated works on the road reserve.
<b>B6.6 On-Street Parking Facilities</b>	N/A
<b>B6.7 Transport and Traffic Management</b>	No change to existing.
<b>B6.8 Access Driveways and Works on the Public Road Reserves on or Adjacent to a Commercial Centre Primary Road</b>	NA
<b>B8 Site Works Management</b>	
<p><b>B8.1 Construction and Demolition - Excavation and Landfill</b></p> <p>Excavation and landfill on any site that includes the following:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• Any excavation greater than 1.5 metres deep below the existing surface;</li> <li>• Any excavation that has the potential to destabilize 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;</li> <li>• Any landfill greater than 1.0 metres in height; and/or</li> <li>• 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</li> </ul>	<p>The proposal includes bulk earthworks -cut and fill – to create the tennis court pad. Details are contained in the civil engineering plans submitted with the DA package.</p> <p>The application is supported by a Geotech report which provides certain recommendations that are set out elsewhere in this report and are provided in section 6 of the geotechnical report.</p>



capacity soils, must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.	
<b>B8.2 Construction and Demolition - Erosion and Sediment Management</b>	<p>Northrop Civil Engineering have prepared plans for the bulk earthworks &amp; erosion and sedimentation control for the site. Cut and fill and erosion and sedimentation control measures are included on the plan set.</p> <p>As stated above a Geotech report was completed prior to DA which normally occurs once the DA is approved and prior to CC. The Geotech report has regard to the proposal and confirms that the site is suitable for the proposed works. A structural engineer has also been engaged up front to ensure the structure can be built as proposed in the DA. Again these steps normally occur post approval however due to the site conditions and heritage item on the site etc all reports have been completed up front to minimize risks. Conditions of consent to be imposed.</p>
<b>B8.3 Construction and Demolition - Waste Minimisation</b> <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>	A Waste Management Plan (WMP), prepared by SJB Architects is submitted with the DA package, including an existing and proposed waste management site plan. Where possible, materials will be recycled.
<b>B8.4 Construction and Demolition - Site Fencing and Security</b>	The site is to be fully fenced and secured during site works and construction phases.
<b>B8.5 Construction and Demolition - Works in the Public Domain</b>	All works within the public domain will be protected. These works will be subject to a Section 139 approval from Northern Beaches Council.
<b>B8.6 Construction and Demolition - Traffic Management Plan</b>	<p>For the site works a Traffic Management Plan (TMP) will be prepared indicating truck movements, truck routes etc. This will be submitted to the certifier prior to the commencement of site works.</p> <p>The TMP typically forms part of the CC phase and will be prepared by a TfNSW accredited traffic consultant. A</p>

	standard condition can be imposed on the consent to cover this aspect of the development which occurs post approval.
<b>SECTION C DEVELOPMENT TYPE CONTROLS</b>	
<b>C1 Design Criteria for Residential Development</b>	
<b>C1.1 Landscaping</b>	An Arborist Assessment is submitted with the DA package together with comprehensive landscape plan set for the proposal. The landscape plan has been prepared by a skilled designer that embellishes the site.
<b>C1.2 Safety and Security</b>	A Safety and Security Assessment, if required for the construction phase, can be conditioned as part of the DA consent, to be provided with the Construction Certificate details.
<b>C1.4 Solar Access</b>	Shadow Diagrams are provided in the DA plan set.  The site has a north-south orientation. Shadows will only be cast of the southern neighbouring property. The new structure and tennis court do not unduly impact the neighbouring property as demonstrated in the shadow diagrams.
<b>C1.5 Visual Privacy</b>	The visual privacy of the adjoining properties will not be unduly affected by the construction of the tennis court – when in use. Unlike a new building close to the street, the tennis court will only be used intermittently and the moveable screens will provide privacy for players and neighbours. The tennis court is subject to weather conditions and has no lights so its use is limited. Landscaping and screens will assist to reduce potential impacts. Standard conditions are to be imposed in relation to noise compliance.
<b>C1.6 Acoustic Privacy</b>	The court is not lit so no after-dark play is proposed as part of the subject application. Use of the court area will be limited to daylight hours, on an intermittent basis.  Any requirements can be conditioned as part of the DA consent requiring compliance with noise control criteria as is normally the case for all outdoor active areas on any property having

	tennis swimming pools and basketball hoops.
<p><b>C1.7 Private Open Space</b></p> <p><u>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</u></p> <p><i>Minimum 80m<sup>2</sup> 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.</i></p> <p><i>Within the private open space area, a minimum principal area of 16m<sup>2</sup> with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</i></p> <p><i>Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.</i></p> <p><i>Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).</i></p> <p><i>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</i></p> <p><i>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.</i></p>	<p>The site is large and contains several areas around the dwellings and its curtilage that complies with the minimum POS controls.</p>
<p><b>C1.12 Waste and Recycling Facilities</b></p> <p><i>All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.</i></p>	<p>A Waste Management Plan is submitted with the DA documentation. It details the amount of soil waste, proposed recycling and disposal measures for the site during demolition, construction and on-going management of the building.</p>
<p><b>C1.24 Public Road Reserve - Landscaping and Infrastructure</b></p>	

Landscaping General - All Development

*Landscaping within the public road reserve is to include street trees planted at 6m centres.*

*Street trees are to be planted to encourage the free passage of pedestrians.*

*Street trees should not interfere with existing powerlines.*

*All existing trees over 3m in height and native vegetation within the road reserve areas are to be retained where practical. The existing trees are to be protected during the construction of works through temporary perimeter fencing that is 1.8m high.*

*New tree plantings are to be a minimum 35 litre size with 1m x1m hole and backfilled with suitable planting medium.*

*Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with Hessian ties.*

*To ensure a consistent streetscape the new tree plantings are to be the same as the existing adjacent street trees.*

*Where appropriate, Council encourages the use of local endemic native species according to the list of local native species in Pittwater.*

*([http://www.pittwater.nsw.gov.au/environment/plants\\_and\\_animals/native\\_plants/species\\_lists](http://www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants/species_lists))*

*Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.*

*All work is subject to a Section 139 approval from Council.*

Dwelling Houses, Secondary Dwellings and Dual Occupancy

*The location of new landscaping (street trees) is not to hinder the future construction of a 1.5m wide footpath in location to be nominated by Council and is subject to a Section 139 approval from Council.*

The road reserve in front of the site is quite wide. It is proposed to grass/lawn this area as shown in Figure 1 below.

Refer to the landscape plan set submitted with the DA package.

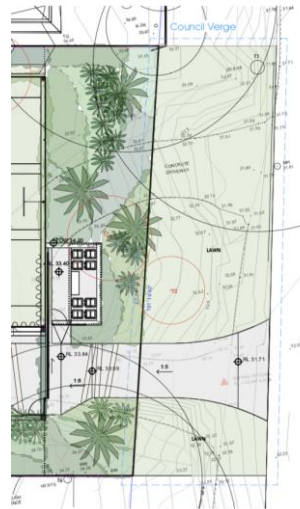


Fig 1: Extract of landscape plan showing grassed verge.



**SECTION D LOCALITY SPECIFIC DEVELOPMENT CONTROLS****D1 Avalon Beach****D1.1 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.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures should be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

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.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

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.

The front of the site is setback from the roadside with landscaping proposed between the boundary and the front edge of the tennis court.

The proposed landscaping for the area between the tennis court and front boundary is shown in Figure 2 below.



Fig 2: Extract of landscape plan for the setback area between court and front boundary.

The proposed structures fit comfortable on the site and this is shown in the east elevation below in figure 3.

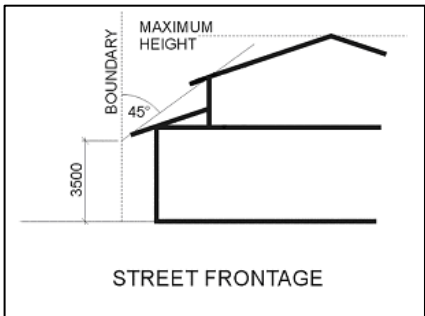


Fig 3: Street elevation showing scale relationship of proposed structures with adjoining dwellings.

The overall scale of the structures complements the low scale character of the existing built form. The arbor and outbuildings will read more as garden structures and will not dominate the streetscape.

The pavilion is to be cut into the slope of the site so that the floor level is level with the tennis court to provided direct

	<p>connect between the two. The excavation will limit the overall perceived scale of the structure. When viewed from either the water or the street the structures will not be dominant elements within the landscape.</p> <p>We note that the site is very large and over a similar size the site would typically support 2 – 3 large dwellings like on the northern side of the site.</p> <p>Given the site area the site has comparatively less bulk and scale and reasonably preserves the residential character of the area.</p> <p>The screens around the court are partly moveable and will increase privacy and security.</p> <p>Overall the proposal strikes an acceptable balance between the owners right to develop a largely undeveloped site with the neighbours amenity and overall residential character.</p>
<b>D1.2 Character – Avalon Beach Village</b>	N/A
<b>D1.4 Scenic protection – General</b>  Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	<p>As per the DA/landscape plans (and in accordance with the Arborist Report) the proposal has retained as many of the trees on site as possible. Where not able to be retained due to the footprint of the court and pavilion a new planting scheme is proposed.</p> <p>The level of the tennis court is no higher than the existing ground level and has part cut and fill to grade the court area. The pavilion is low-set to connect the internal floor level with the outdoor court. A movable screen is proposed which will lessen any visual/noise impacts. As stated the court is not lit and will only be used intermittently for private use, during daylight hours subject to weather conditions.</p>
<b>D1.5 Building colours and materials</b>  External colours and materials shall be dark and earthy tones.	<p>The colours, finishes and materials complement the heritage listed residence on the site. This is achieved as materials and finishes have a low</p>

<p>Finishes are to be of a low reflectivity.</p> <p>Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.</p>	<p>reflectivity and earthy tones. No bright or reflective finishes are proposed.</p> <p>The HIS report has reviewed the proposed scheme and agreed to their suitability.</p>
<p><b>D1.8 Front building line</b></p> <p>The minimum front building line in the E4 Environmental Living: 6.5m, or established building line, whichever is the greater</p> <p>Built structures (including swimming pools), other than driveways, fences and retaining walls are not permitted within the front building setback.</p> <p><u>Variations</u> Where the outcomes of this control are achieved, Council may accept a variation.</p>	<p>The site has a large, setback front boundary from the roadside. This area is heavily vegetated which creates a private entry to the property. The new tennis court is setback from the boundary and landscaped – further increasing privacy (refer to Figure 2 above).</p> <p>The site is a deep site when measured from the roadside to the water's edge. The existing heritage residence is sited towards the water enabling a court to be located within a very substantial setback.</p> <p>The front setback is reasonable in this case.</p>
<p><b>D1.7 Side and rear building line</b></p> <p>The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls -</p> <p>E4 Environmental Living:</p> <ul style="list-style-type: none"> <li>• 2.5m at least to one side;</li> <li>• 1.0m for other side</li> <li>• 6.5m rear (other than where the foreshore building line applies)</li> </ul>	<p>The tennis court and wall on the northern side of the pavilion are setback 2m from the northern boundary and 9m from the southern boundary.</p> <p>Complies.</p>
<p><b>D1.11 Building envelope</b></p> <p>Buildings are to be sited within the following envelope:</p>  <p><u>Development other than residential flat buildings and multi dwelling housing:</u></p>	<p>The pavilion complies with the building envelope control as it setback 2m from the northern boundary and 3.9m high with a flat roof.</p> <p>A 45° projection would project over the top of the roof.</p> <p>Complies.</p>

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).	
<b>D1.12 Building envelope – Avalon Beach Village</b>	N/A
<b>D1.13 Landscaped Area – General</b>	-
<b>D1.14 Landscaped Area – Environmentally Sensitive Land</b>  E4 Environmental Living: 60% of the site area  The use of porous materials and finishes is encouraged where appropriate.  Variations: up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only.	Site area: 3810m <sup>2</sup> Required: 60% = 2,286m <sup>2</sup>  Complies
<b>D1.15 Fences – General</b>  Land in the Avalon Locality NOT included in Flora and Fauna Conservation Category 1 and 2 Areas - P21DCP-D01MDCP106	N/A
<b>D1.16 Fences – Flora and Fauna Conservation Areas</b>  Land in the Avalon Locality included in Flora and Fauna Conservation Category 1 and 2 Areas – P21DCP-D01MDCP107	N/A
<b>D1.17 Construction, Retaining walls, terracing and undercroft areas</b>  Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.  Retaining walls and terracing shall be kept to a minimum. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.  In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.  Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate	Refer to the DA plan set and landscape plan set for details of fencing, including the proposed movable screens that are part of the tennis court. Section AA shows the new retaining wall and the new structure for the pavilion that will also serve as a retaining structure. These are independent and will allow for deep soil zones between the boundary and the new pavilion.  Retaining walls and terracing are proposed to maintain a low-set structure for the pavilion. In order to effectively sink the pavilion into the site cut is provided along with retaining walls. All of the walls are shown on the plans.

landscaping shall be provided to screen undercroft areas.

Upper level tanked areas provide for landscaping as shown.

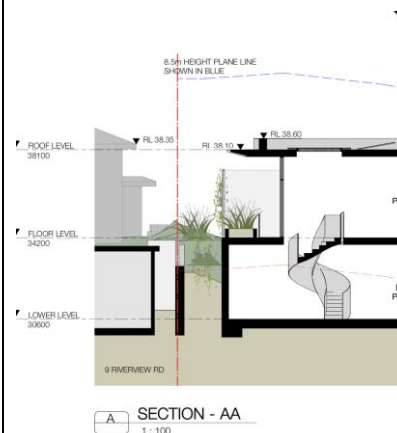


Figure 4: Section AA

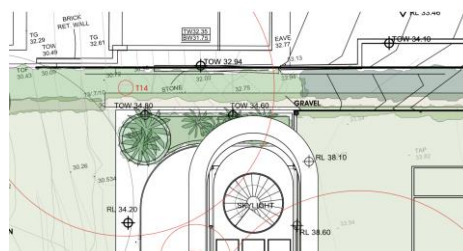


Figure 5: upper level plan extract showing planter

Figure above shows the planters that provide additional setback to the neighbouring property. Planters assist in maintaining privacy.

#### D1.20 Scenic Protection Category One Areas

Screen planting shall be located between structures and boundaries facing waterways.

Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves. Development is to minimise the impact on existing significant vegetation.

The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.

The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not

No structures facing the waterway.

Landscape plans show the retention of the tree canopy and DA plan set shows the retention of the ridgeline views from a distance.

Demonstrated to be satisfactory in the Arborist Report, Landscape plan set and DA plan set.

Complies. Refer to the planting scheme proposed in the landscape plan set.



<p>required to be cleared to allow for the development.</p> <p>The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.</p> <p>The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.</p> <p>Applicants are to demonstrate that proposed colours and materials will be dark and earthy.</p>	<p>Complies. Refer to DA plan set showing existing and proposal ridgeline views of the site.</p> <p>Complies. Refer to the details provided in the application.</p> <p>Complies. Refer to the details provided in the application.</p>
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**4.4 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. Suitability of the site for the development.**

The impacts on the natural and built environments are of a level considered acceptable for development of the scale and nature proposed. In this instance, the impact level is not to the extent that would warrant refusal or modification of the proposal.

Social impacts are positive with the provision of high-quality private open space and recreational facilities on the site together with enhanced landscaping and drainage. The movable screens lessen the visual impact at times when the court is not in use. The proposal does not detract from the character and sense of place of the immediate locality. The site is ideally suited to the proposed use, which is permissible and satisfies the broad objectives of the LEP and DCP.

**4.5 Any submissions made in accordance with this act or the regulations**

Council is responsible for the referral of the application to relevant Government bodies and to adjoining owners. Any submissions will be reviewed by the applicant and Council during the assessment process, and duly considered.

**4.6 The public interest**

The relevant issues have been addressed with regard to the public interest as reflected in the relevant planning policies and codes. The development is unlikely to result in any adverse impact to the public interest in the circumstance of the case.

## 5.0 CONCLUSION

The proposal comprising the construction of a new tennis court and pavilion is ancillary to the existing dwelling and is permissible with the consent of Council. The development maintains the site's achievements of the PLEP 2014 objectives and generally complies with the relevant LEP controls.

The proposal satisfies the numerical controls and objectives of the Pittwater LEP 2014 (PLEP 2014) and Pittwater 21 DCP (PW21). The value of this heritage listed waterfront property is maintained and allows for suitable ancillary structures on the site. The proposal has been assessed by an experienced heritage consultant and is deemed to be sympathetic with respect to its siting and scale and palate of materials and finishes.

Given the relevant planning policies, codes and requirements of the *EP&A Act 1979* have been duly satisfied, the proposed application is worthy of approval.



**Andrew Martin** *MPIA*  
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