

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot 25 DP 7593
33 Alleyne Avenue
North Narrabeen

PROPOSED DEVELOPMENT: Construction of a two-storey dwelling following the demolition of an existing dwelling



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INTRODUCTION

This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a two-storey dwelling. This report is based on plans prepared by Atria Designs Job no. J1925, Revision 3.5, dated 24.05.2024.

The proposed works include:

- Construction of a two-storey dwelling consists of five (5) bedrooms, two (2) offices, a workshop, laundry, kitchen, and dining room along with an attached alfresco dining area and double garage.
- Demolition of existing dwelling

The subject site is located on the southern side of Alleyne Avenue and is rectangular in shape. The allotment has a frontage of 15.24m², a depth of 45.72m and total site area of 696.7m². The site has a fall towards the front boundary and steep fall towards the rear boundary. The site currently contains an existing dwelling which is proposed to be demolished as part of this development. Fifteen (15) trees are proposed to be removed to allow the proposed development.

All necessary services are available to the site or form part of the proposed development. Drainage from the development is to be directed to the street via a rainwater tank collection system in accordance with the Concept Drainage Plan attached to this application.

The site is within an established residential area that predominately consists of one and two storey dwellings. The subject site is not identified to be a heritage item or located in or within close proximity to any conservation areas.

The following sections of this statement address the likely impact of the proposal.



LEGISLATIVE REQUIREMENTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 – Standards for Residential Development - BASIX

State Environmental Planning Policy (Sustainable Buildings) 2022 requires all residential development in New South Wales to achieve a minimum target for energy efficiency, water efficiency and thermal comfort. The proposed development has been assessed in accordance with the relevant provisions of the Sustainable Buildings SEPP. It is demonstrated on the BASIX Certificate submitted with this application that the proposal achieves the required rating for energy efficiency, water efficiency and thermal comfort.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The subject site is located within the coastal zone and requires consideration under this policy. The site is specifically identified as forming part of the Coastal Environment Area and the Coastal Use area. The clauses of relevance are addressed as follows:

Clause 2.10 Development on land within the coastal environment area

- (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—*
- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
 - (b) coastal environmental values and natural coastal processes,*



- (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,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (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,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*
- (2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—*
 - (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or*
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*
- (3) This section does not apply to land within the Foreshores and Waterways Area within the meaning of [State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6.*

The proposed development provides sufficient buffer to the coastal foreshore to ensure there will be no detrimental impact on the environmental characteristics of the waterfront lands, vegetation, headland or the cultural significance of the area surrounding area. There will be no loss of public open space or access thereto.

Clause 2.11 Development on land within the coastal use area

- (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) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*



(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

(iv) Aboriginal cultural heritage, practices and places,

(v) cultural and built environment heritage, and

(a) is satisfied that—

(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or

(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and

(b) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

(2) This section does not apply to land within the Foreshores and Waterways Area within the meaning of [State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6.

The development has been designed and sited giving a high degree of consideration to the coastal environment, site constraints, character of the area and surrounding natural attributes. The site is setback from the foreshore area ensuring no direct impacts in relation to overshadowing, restricted access or excessive visual bulk.

The external appearance and overall bulk of the development is considered to be in keeping with many recent developments within the area. The design does not result in any loss of view to adjoining or nearby developments, and provides a high-quality amenity for future occupants.

There will be no loss of public view nor any impact on the use of the foreshore area. The development is suitably designed to achieve the objectives of the SEPP.

Chapter 4 – Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless—

(a) it has considered whether the land is contaminated, and



- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

Clause 2.98 Development adjacent to rail corridors

(1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—

- (a) is likely to have an adverse effect on rail safety, or*
- (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
- (c) involves the use of a crane in air space above any rail corridor, or*
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is not located within proximity to a railway corridor, and does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.



Division 17 Roads & Traffic

Subdivision 2 – Development in or adjacent to road corridors and road reservations

Clause 2.119 Development with frontage to classified road

(1) The objectives of this section are—

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located within proximity to a classified road, and does not have a frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

The aims of this chapter of the policy are understood to relate to the protection of the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural area through preservation of trees and other vegetation.



The proposed development includes the removal of fifteen (15) trees, seven to the frontage, three to the western side and four at the rear. Removal of the identified trees are required to allow the proposed development to occur.

Removal of the identified trees are identified to be of moderate and low value and are not known to be of increased biodiversity value and is not anticipated to result in reduced amenity to the proposed development as a result of their removal. Replacement planting is to be provided as part of the proposed development to ensure amenity of the allotment is maintained as a result of the development.

Pittwater Local Environmental Plan 2014

Part 2 Permitted and prohibited development

Clause 2.2 Zoning of land to which this plan applies

The subject site is zoned C4 Environmental Living pursuant to Clause 2.2 of Pittwater Local Environmental Plan 2014.

The proposed development is defined in the Plan as a "dwelling house" being "*a building containing only one dwelling*".

The identified zone permits the development of a 'dwelling house' subject to development consent from Council.

Clause 2.3 Zone objectives and land use table

The objectives of the R5 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 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 proposed two storey dwelling is compatible with the existing and future character of the locality. The development is suitably located on the allotment to ensure there is minimal impact on the surrounding properties and the values of the area. The development is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site. Vegetation removal is required for the siting of the proposed dwelling however replacement planting will occur following construction in order to maintain the ecological value of the land.

The proposed dwelling is a suitable development for the site and is considered to meet the objectives of the C4 zone.

Part 4 Principal Development Standards

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m	7.942m	Yes

Clause 4.4 Floor Space Ratio

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
N/A	N/A	N/A

Clause 4.6 Exceptions to development standards

The proposal does not contravene the development standards of the LEP.



Part 5 Miscellaneous Provisions

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or located within close proximity to any heritage items.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified as being bushfire prone land.

Clause 5.21 Flood planning area

The subject site is not known to be located within a flood planning area.

Part 7 Additional Local Provisions

Clause 7.1 Acid sulfate soils

The subject property is identified as being affected by Class 5 Acid Sulfate Soils. The proposal is not considered to lower the water table by 1 meter. The proposed dwelling requires excavation predominately within the footprint area to provide foundations for the proposed dwelling. The development is not anticipated to have any specific requirement in respect to Acid Sulfate Soils.

Clause 7.2 Earthworks

Minimal ground disturbance is required to provide a platform to site the building footprint. Balanced cut and fill, all earthworks can be suitably battered and/or retained to ensure structural adequacy and minimal impact on the adjoining properties. A suitable drainage system will run throughout the site to mitigate the change in ground levels.

Clause 7.6 Biodiversity

The subject site is identified as being within an area of terrestrial biodiversity. Fifteen trees are proposed to be removed to allow for the proposed development. Additional landscaping will be



provided following construction to ensure that the landscape character of the area is maintained and preserved. It is not anticipated that the development will detrimentally impact upon the ecological value and significance of the fauna and flora on the land or the importance of the vegetation to the habitat of native fauna and the habitat elements providing connectivity on the land.

Clause 7.7 Geotechnical Hazards

(2) This clause applies to land identified as "Geotechnical Hazard H1" and "Geotechnical Hazard H2" on the [Geotechnical Hazard Map](#).

The subject site is identified as being within the 'Geotechnical Hazard H1' on Council's maps.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks—

- (a) site layout, including access,*
- (b) the development's design and construction methods,*
- (c) the amount of cut and fill that will be required for the development,*
- (d) waste water management, stormwater and drainage across the land,*
- (e) the geotechnical constraints of the site,*
- (f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Consideration of the abovementioned geotechnical risks has been undertaken during the design of the proposed development.

The proposed dwelling has been sited outside of the H1 mapped area. The development has been designed utilising a concrete slab with equal amounts of cut and fill being proposed where earthworks are required. The proposal also includes integrated retaining walls within the dwelling design to minimise the geotechnical impacts of the development.

Suitable waste water and stormwater management has been incorporated within the design with supporting documentation accompanying the subject development application.



Clause 7.10 Essential Services

All necessary services are available on the site including access to water, telecommunications and electricity. A septic system forms part of the proposed development.

* * *

Conclusion with respect to LEP requirements

The proposal satisfies the objectives and requirements of the PLEP 2014.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Pittwater 21 Development Control Plan

The DCP is divided into several sections of generic and individual locality-based controls. The subject site is located within the North Narrabeen Locality. Assessment of the subject proposal against DCP No.21 is provided as follows;

Section A – Shaping Development in Pittwater

A4.11 Locality character statement – North Narrabeen Locality

The extension of the tram to Narrabeen in 1913 established the North Narrabeen Locality as a popular area for holidays and camping. Until this time, the locality remained relatively undeveloped, used mainly as a through-route to Mona Vale and land further north. A bridge constructed across Narrabeen Lagoon in 1880, and the opening of the Wakehurst Parkway in 1946, connected the locality and rest of Pittwater with land to the south. From the 1950s, residential development intensified in the locality.



Since this time, the locality has developed into a predominantly low-density residential area, with dwellings built along the valley floor, slopes, and adjacent to Narrabeen Lagoon. The locality is characterised by one and two-storey dwelling houses on 450-650 square metre allotments (some smaller allotments may exist). The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes.

The locality is serviced by a neighbourhood retail centre at Pittwater Road, which also serves as a retail centre for passing motorists, and nearby residents descending from Elanora Heights. A smaller neighbourhood centre is located at the corner of Powderworks Road and Garden Street. This services the local industrial area that is dominated by car uses including servicing, repair and sales, that is located between Garden and Warraba Road. The locality also contains Narrabeen RSL club, a community centre and recreational facilities including tennis courts, several reserves and Narrabeen Lake.

The locality is characterised by a valley and steeper slopes to the north, south, and west, and lowlands extending to Narrabeen Lake to the east and Mullet Creek. Due to the topography, some significant views can be obtained to the east and south. Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the natural vegetation has been removed and replaced with non-indigenous species. Much of the tree canopy around the escarpment has been retained.

The natural features of the locality result in a high risk of bushfire, landslip and flood.

The major roads within the locality are Pittwater Road, Rickard Road, and the Wakehurst Parkway. Powderworks Road is a common through-route from the beaches to land further north/west, and similarly, the Wakehurst Parkway is a major link with land further west and south. Several pedestrian links and pathways exist within the locality, including a popular pedestrian/cycleway adjacent to Narrabeen Lake.

The proposed development is to be located on an existing allotment being in keeping with the typical size for the area. A number of medium to low value trees are proposed to be removed and one high



value tree within the site is to be retained, in order to site the proposed works with all significant existing landscaping to be retained to ensure the landscape character of the area is maintained.

The proposed dwelling is considered to be consistent with the intended character of the area consisting of two storeys. The design and style chosen for the proposed development is desired by the market today being a contemporary nature using materials which ensure that the built form will not be out of place and will not detract from the amenity of surrounding properties.

The proposal does not present any detriment to views or streetscape setting and environmental issues are considered satisfactory addressed.

This development application is supported by all the necessary documentation to address the relevant environmental triggers of this Plan, such as landscaping and stormwater plans.

Desired Character (Extract)

The North Narrabeen locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancies will be located on the valley floor on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped



down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the North Narrabeen commercial centre on Pittwater Road will reflect the status of the centre as the 'gateway' to Pittwater through building design, signage and landscaping, and will reflect principles of good urban design.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

The proposed dwelling is considered to reflect the desired residential character being of a two storey dwelling on an existing allotment used for residential purpose and access to all existing infrastructure.

The overall design of the development has given consideration to the site's environmental constraints and topography, the amenity of neighbouring properties, views obtained from the site and the streetscape.

The proposed works are considered to be in keeping with the desired character of the North Narrabeen area.



Section B – General Controls

B1 Heritage Controls

The subject site is not identified as an item of heritage significance. The site is not within a heritage conservation area or located within close proximity to heritage items.

B3 Hazard Controls

The subject site is not identified to be within a bushfire prone area.

The subject property is identified as being classified by Class 5 Acid Sulfate Soils. The proposal is not considered to lower the water table by 1 meter and requires exaction with a depth less than the development is not anticipated to have any specific requirement in respect of Acid Sulfate Soils.

B4 Controls Relating to the Natural Environment

The subject site is not identified as being within an area of environmental significance.

B5 Wastewater management

Drainage from the subject site is to be directed to the existing drainage collection system for the property.

B6 Access and Parking

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>B1.6 Access driveways and works n Public Road Reserve</u>		
Driveway width at boundary to be maximum of 3.0m	<3m provided	Yes
Driveway width at kerb to be maximum of 3.5m	<3m provided	Yes



<u>B6.2 Internal driveways</u> Minimum width of driveway corridor 3m	Provided	Yes
<u>B6.3 Off-street parking requirements</u> Required parking spaces per dwellings (not secondary dwelling) 1bedroom – 1 space 2bedrooms + - 2 spaces	2 parking spaces provided in proposed garage	Yes
Min. enclosed garage dimensions - 3.0m x 6.0m	5.53 x 5.5m Minor decrease in the width of garage. The proposed garage is still capable of meeting the Australian Standards and will not prevent the garage from being used for its purpose.	No – Variation requested

B8 Site works management

Earthworks are required to site the proposed two storey dwelling. An erosion and sediment control plan is attached with this application for Council's consideration. All sedimentation control devices will be in place prior to any site works for the construction of addition.

Section C - Development type controls

C1 Design Criteria for Residential Development

<i>Requirements</i>	<i>Provision</i>	<i>Compliance</i>
<u>C1.1 Landscaping</u> 60% of front setback to be landscaped.	61.3% provided	Yes
<u>C1.2 Safety & security</u> Be able to view visitor at front door without opening it. Casual surveillance of front yard.	The proposed development provides sight lines from the dwelling to the street and has a habitable room overlooking the street frontage.	Yes



<u>C1.3 View sharing</u>	The proposed development is not anticipated to have any unreasonable impact on views of surrounding properties. Any views obtained along the street and through the site can still be obtained due to appropriate setbacks.	Yes
<u>C1.4 Solar access</u> 3hrs to POS of proposed and adjoining 9am-3pm. 3hrs to sunlight- min 50% glazing to proposed living area windows.	3hrs solar access provided to the proposed dwelling and adjoining dwellings due to appropriate setbacks and height of the proposed works. Shadows cast from the proposed development are not beyond anticipated levels for an allotment with north to the front.	Yes Yes
<u>C1.5 Visual privacy</u>	No loss of visual privacy anticipated from the proposed development.	Yes
<u>C1.6 Acoustic privacy</u>	No significant noise source within direct proximity of the subject site.	Yes
<u>C1.7 Private open space</u> 80m ² POS Min dimension 3m Max 75% POS in front yard Principal area 4m x 4m Accessed via living area. POS to have good solar orientation POS to include provision of clothes drying facilities.	343m ² POS area provided Min dimension >3m. POS located in rear yard. Provided in rear yard. Accessed via dining room. POS area capable of receiving adequate solar access. Capable of providing	Yes Yes Yes Yes Yes Yes Yes
<u>C1.12 Waste and recycling facilities</u>	Adequate area continues to be available for bin storage within the site.	Yes



	Waste Management Plan provided for Council's consideration.	Yes
<u>C1.20 Undergrounding of utility services</u>	Necessary services/utilities can be provided for the proposal.	Yes
<u>C1.23 Eaves</u> Dwelling to incorporate eaves on all elevations. Min. 450mm	Eaves provided to all elevations except proposed garage flat roof.	No -see below

Variation Request

Eaves – Council's DCP requires a minimum eave width of 450mm to be provided to the entire dwelling. The proposed dwelling has been provided with 450mm eaves to the dwelling apart from the garage roof has 0mm eaves and thus requires a variation to this control. This non-compliance is not considered to be detrimental to the proposed development. The proposed eaves complement the architectural style of the proposed dwelling that is consistent with existing developments within the surrounding locality. The proposed design is considered to be appropriate in this instance as the dwelling is able to achieve the requirements of the submitted BASIX certificate despite the non-compliance with the eave width control.

This variation is considered to have a negligible impact on the overall merits of the development and a variation should be supported in this instance.

Section D - Locality Specific Development Controls

D11 North Narrabeen Locality

This section of the DCP applies to all land within the Church Point and Bayview Locality and provides controls for sector planning (subdivision and layout) and built form.

An assessment of the proposed development against the relevant controls of this section of the DCP is provided below.

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>D11.1 Character as viewed from a public place</u>		



Walls without articulation shall not have a length greater than 8 metres to any street frontage.	The front façade does not contain any unarticulated component in excess of 8m.	Yes
Any building facade to a public place must incorporate at least two of the following design features: entry feature or portico; awnings or other features over windows; verandahs, balconies or window box treatment to any first-floor element; recessing or projecting architectural elements; open, deep verandahs; or verandahs, pergolas or similar features above garage doors.	Entry feature and architectural elements provided	Yes
Parking structures to be behind the front building line and max. width 50% of lot frontage or 7.5m whichever is lesser.	Proposed garage located behind building line and width 5.53m/ 45.3%	Yes
<u>D11.2 / Scenic Protection</u> Minimise visual impact on natural environment when viewed from the waterway, road or public reserve.	Site not located within a scenic protection area.	N/A
<u>D11.3 / Building Colours and Materials</u> Non-reflective dark tones preferred.	Colours and finishes will be non-reflective and blend with the varied nature of the streetscape.	Yes
<u>D11.6 / Front Building line</u> Min. 6.5m or established building line, whichever is greater.	Dwelling – 6.55m	Yes
<u>D11.7 / Side and rear building line</u> Land zoned R2 or E4: 2.5m to one side;	2.52m	Yes



1.0m to other side. 6.5m to rear (except land in foreshore)	1.02m 21.09m	Yes Yes
<u>D11.9 / Building envelope</u> 3.5m above ngl on side boundaries, inward at 45° to max. height (eaves permitted outside).	Provided to all elevations excluding the west elevation	No – see below
<u>D11.10 / Landscaped Area – General</u> Landscape area min = 50% R2 Zone – 6% can be hard surface associated with POS. Allowance for 1m wide path etc.	N/A to C4 zones	N/A
<u>D11.11 / Landscaped Area – Environmentally Sensitive Land</u> Min. 60%	61.3% provided	Yes
<u>D11.12 Fences General</u>	N/A – no fences proposed as part of this development	N/A
<u>D11.14 / Retaining Walls</u> Lightweight construction and pier and beam footings should be used in environmentally sensitive areas Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.	N/A- subject site is not identified as being within an environmentally sensitive area. Proposed front retaining walls include nature strip to reduce the visibility from the street.	N/A Yes

Variation requests

Building envelope – Council's policy requires that the proposed development is to be contained within the 3.5m building envelope. Portions of the 1st floor on only the western elevation are sited outside the building envelope, thus requiring a variation to this control.

The proposed non-compliance is the direct result of the steep topography of the site which would create difficulty in siting a development without some level of non-compliance. It is understood that, for building footprints situated on significantly sloped sites, variations to this control will be considered on the merits of the development.



The proposed development provides generous side setbacks and contains flat or low pitched skillion roof areas in order to reduce visual bulk as viewed from adjoining lots and the streetscape. Providing a development that is entirely contained within the building envelope would not be possible on the subject site.

The non-compliance creates no additional adverse visual impact to the streetscape given that the non-compliance relates to the western side elevation and is considered to be in context with the built form envisaged for the area. The dwelling is not considered to create shadows beyond that anticipated for a two storey dwelling. Privacy of adjoining properties will not be compromised as a result of the requested variation as generous side setbacks have been provided and side elevation windows have been minimised as much as practical.

The proposed design can satisfy the objectives of the clause and the non-compliance is considered acceptable in these circumstances. It is requested that the variation be supported in this instance.

* * *

Conclusion with respect to DCP requirements

The proposal is considered to generally satisfy the objectives of the relevant development controls relating to dwellings, as contained within DCP No. 21.

(iia) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.



(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality

The following matters are understood to be relevant when considering on site impacts.

Siting and Design

The proposed two storey development will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dwelling provides generous boundary setbacks, contributing to spatial separation and openness between dwellings. The articulated design will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements along with a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

Sedimentation Control

Due to the topography of the site, excavation will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.



Noise and Vibration

All construction work will be undertaken during hours specified within the development consent and/or normal construction hours. No vibration during construction is expected. Noise generated from the dwelling after occupation will be of residential scale only.

(c) The suitability of the site for the development

The subject site is within an established residential area within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed two storey dwelling, the subject of the application, can be constructed with all services necessary and have been designed to suit site constraints and the character of the surrounding residential setting.

The proposed works are permissible with development consent under the provisions of Pittwater Local Environmental Plan 2014, and generally satisfies the objectives of the Pittwater Development Control Plan 21 as discussed above.

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

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.



CONCLUSION

The proposed development has been considered in respect of the relevant Environmental Planning Instruments and is deemed to be satisfactory with respect to those requirements taking into consideration the overall merits of the design presented.

The residential use of the site is permissible with development consent under the provisions of Pittwater Local Environmental Plan 2014, and can satisfy the objectives of the relevant development control plan for the area.

It is considered that the construction of a two storey will complement and blend with the existing and likely future character of North Narrabeen. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

The appropriateness of the development has been evident within this statement and within the supporting documentation submitted to Council. The proposed two storey dwelling appropriately identifies and relates to the sites use as a residential development.

Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activity is considered acceptable and maintains the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under S4.15 of the E P and A Act 1979.

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

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3 June 2024