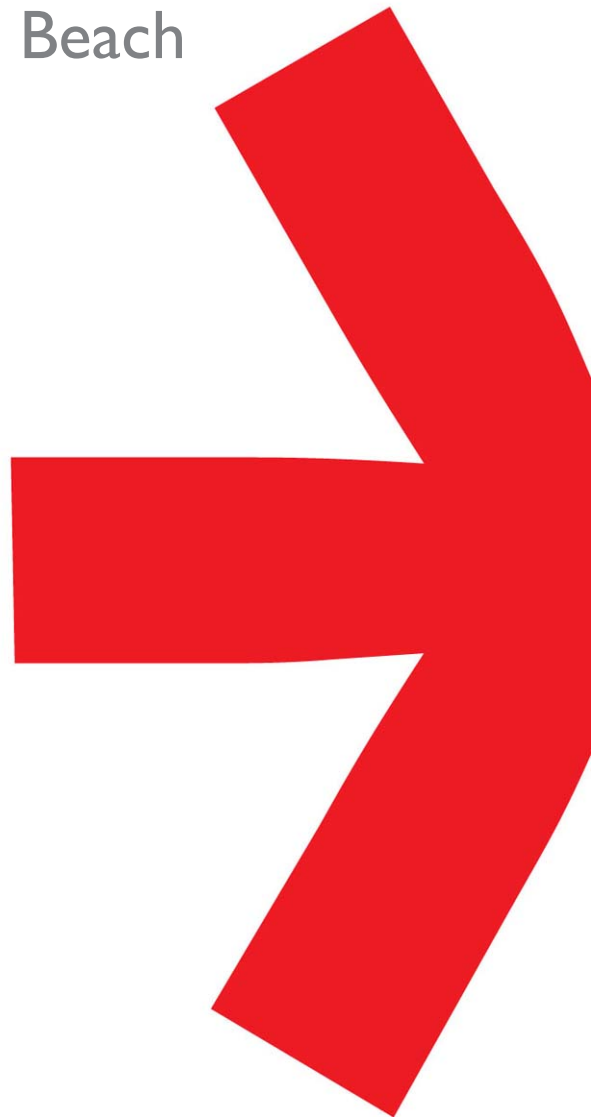




Statement of Environmental Effects

15 Hudson Parade, Avalon Beach

September 2020



Document status

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Approval for issue

Name	Signature	Date
Nicole Lennon		14 09 20

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Planik Pty Ltd
ABN 74 164 697 036
PO Box 577, Gymea NSW 2227

Mobile: 0402 407 841
Email: nik@planik.com.au
planik.com.au

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1 Introduction

Planik Pty Ltd has been engaged to prepare this Statement of Environmental Effects to accompany a development application for retention of the existing dwelling, demolition of an existing carport structure and construction of a new secondary dwelling above a new carport structure on land at 15 Hudson Parade, Avalon Beach

The site is legally referred to as Lot 6 in DP 11376, and has a total area of approximately 917.2 sqm and a 18.29 metre street frontage to Hudson Parade to the north and a site depth of 53.38m. The site has a significant fall of 11m from the rear of the site (RL41.53) to the front boundary (RL30.5).

The site is located within Northern Beaches Council and is subject to the controls of the Pittwater Local Environmental Plan 2014 and the Pittwater 21 Development Control Plan 2014. The subject site is zoned E4 – Environmental Living under the Pittwater LEP 2014 and dwelling houses and secondary dwellings are permissible forms of development within the zone with development consent.

1.1 Background

The site currently contains a two-storey dwelling with a carport within the front setback.

The owners are seeking approval for a new carport with secondary dwelling above at the location of the existing carport on the subject site.

The following statement will demonstrate that the development has been planned to mitigate impacts and the proposed dwellings will meet the relevant development standards and controls within the LEP and DCP.

1.1.1 Key Opportunities

The main opportunities resulting from this proposal include:

- The proposal will facilitate population growth and provide an increase in housing choice to meet demand in the local area.
- The proposal will stimulate and support nearby local centres by the provision of rental accommodation in a low-density development.
- The proposal will retain the existing building on the site whilst redeveloping the site to provide additional complementary housing within the locality.
- The proposal will result in the replacement of the existing carport on site which is currently forward of the main dwelling. Maintaining on site car accommodation will reduce on street car parking demand, provide ability to enter and depart the site in a forward direction and increase safety on the winding street.
- The proposal will not negatively impact the amenity of the neighbourhood and will retain a built form which is in keeping with the character of the existing dwelling and the broader locality.

The proposal will go towards achieving several aims outlined in the Pittwater Local Environmental Plan 2014 including:

Table 1 Pittwater Local Environmental Plan 2014 Aims of Plan

Objectives	Response
------------	----------

Objectives	Response
(a) to promote development in Pittwater that is economically, environmentally and socially sustainable,	The proposal does not contravene this objective.
(b) to ensure development is consistent with the desired character of Pittwater's localities,	The proposal is consistent with the desired character of the Avalon Beach Locality as detailed later in this report.
(c) to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,	The provision of an additional dwelling on the site will support and stimulate the nearby B1 Neighbourhood Centre zone.
(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,	N/A
(e) to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,	This objective is achieved as the site is within walking distance of bus stops in the locality. Car accommodation off street will improve pedestrian and cycle safety on the winding road.
(f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,	The proposal contributes to the range of housing in the community through the provision of a secondary dwelling.
(g) to protect and enhance Pittwater's natural environment and recreation areas,	The proposal will not have a significant adverse impact upon the natural environment.
(h) to conserve Pittwater's European and Aboriginal heritage,	N/A
(i) to minimise risks to the community in areas subject to environmental hazards including climate change,	N/A
(j) to protect and promote the health and well-being of current and future residents of Pittwater.	N/A

Table 2 Zone E4 Environmental Living Objectives

E4 Objectives	Response
To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.	The proposal maintains low impact residential development through the amalgamating a secondary dwelling with a carport structure to tie in with the main dwelling's character.
To ensure that residential development does not have an adverse effect on those values.	This objective is achieved.
To provide for residential development of a low density and scale integrated with the landform and landscape.	The proposed secondary dwelling and carport will sit comfortably within the front setback of the site noting only one tree (amongst a group of trees) is proposed to be removed and the landscaped buffer adjoining the front boundary of the site will integrate the built form from with the streetscape.
To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.	The subject site is identified as terrestrial biodiversity land.

E4 Objectives	Response
	<p>This proposal requires the removal of one tree to accommodate the proposed secondary dwelling. An arborist's report is submitted with the application in support of the removal of the tree.</p> <p>Otherwise, the proposal will not adversely impact upon the natural environment and much restoration and positive management of landscaped areas has occurred on site since the last application was made.</p>

1.2 Pittwater Local Environmental Plan 2014 Development Control Summary

Table 3 Pittwater LEP 2014 Development Control Summary

Applicable LEP Control	Requirement	Proposed	Complies
Land Zoning	E4 – Environmental Living	Dwellings and secondary dwellings are permitted with consent.	Yes
Maximum Height	8.5 m	Maximum 6.2 metres	Yes
Floor Space Ratio	N/A	-	N/A
Secondary Dwellings	GFA 60m ² or 25% of principal dwelling, whichever is greater	<p>Total GFA of the existing dwelling is 163.5m²</p> <p>0.25 x 163.5 = 40.8 m²</p> <p>The GFA of the proposed secondary dwelling is 56m²</p> <p>~ less than 60m²</p>	Yes

1.3 Applicant and Ownership

The applicant for this Development Application is Planik Pty Ltd. The owners of the site are Ms Fiona Rae and Mr Tim Gates.

1.4 Consent Authority

The consent authority for this development is Northern Beaches Council.

1.5 Structure of the Report

This report is divided into six sections detailing the nature of the development in the following manner:

Section 1 Introduction.

Section 2 Examines the existing site conditions in terms of location, context, access and relevant planning controls.

- Section 3 Describes the development proposal through development statistics, built form, materials and the site conditions.
- Section 4 Assesses the development proposal against relevant planning controls.
- Section 5 Summarises the environmental effects of the proposed development under the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act, which lists matters for consideration by a consent authority in determining a development application.
- Section 6 Concludes the Statement of Environmental Effects.

2 Site and Context

2.1 Site Location and Description

The site is located at 15 Hudson Parade, Avalon Beach and is legally referred to as Lot 6 in DP 11376, and has a total area of approximately 917.2 sqm and a 18.29 metre street frontage to Hudson Parade to the north and a site depth of 53.38m. The site has a significant fall of 11m from the rear of the site (RL41.53) to the front boundary (RL30.5).

The land is located in an area zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014.



Figure 1 Site Location Map Source: SIX Maps

2.2 Prior and Existing Buildings Layout and Context

The site currently contains a two-storey dwelling with a carport within the front setback.

Adjacent developments consist of a variety of low density residential dwellings. A B1 Neighbourhood Centre zone is found 85m to the west of the subject site containing a row of small local businesses.

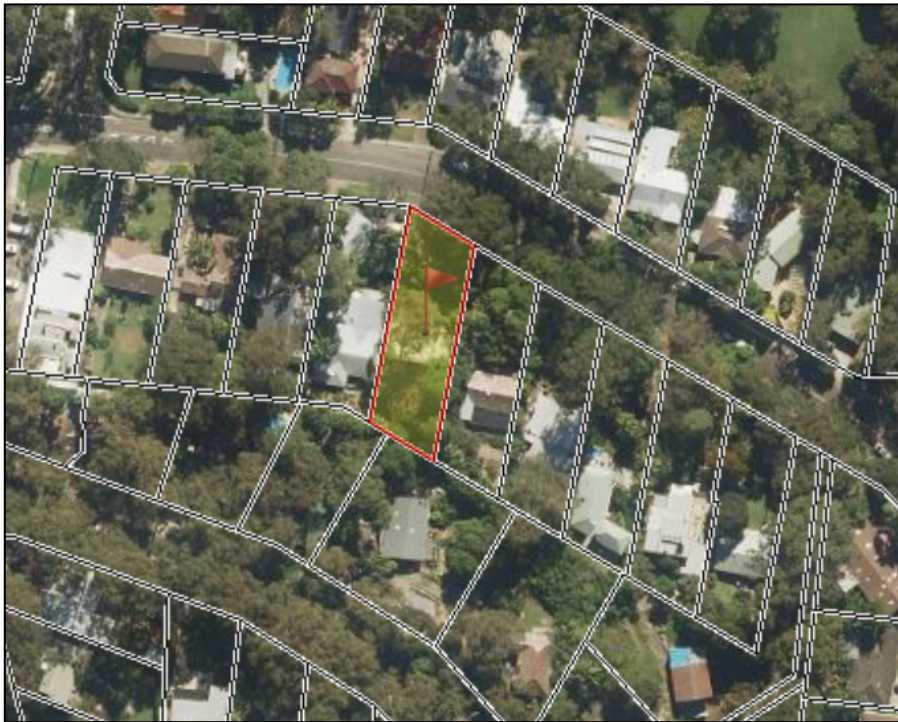


Figure 2 Aerial Site Photo. Source: SIX Maps



Figure 3 Primary frontage of the subject site. Source: Google Streetview



Figure 4 View from the street towards the proposed carport structure which will be predominantly screened by existing landscaping. Source: Google Streetview.



Figure 5 Rear of existing dwelling on the site. Source: Owners



Figure 6 Front elevation of existing dwelling – Source: Owners

2.3 Relevant Planning Controls

2.3.1 State

- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)

2.3.2 Local

- Pittwater Local Environmental Plan 2014
- Pittwater 21 Development Control Plan 2014

3 Development Proposal

3.1 Summary of Proposal

The development application involves:

- Demolition of the existing carport within the front setback and construction of a new carport with secondary dwelling above.
- Secondary dwelling to contain an open plan living/kitchen area, bedroom, bathroom and terrace orientated towards the street.
- Removal of 1 tree within the front setback of the site to accommodate the new carport/secondary dwelling

This Statement of Environmental Effects should be read in conjunction with the following plans and documents below:

Plan/Document Title:	Date:	Prepared by:
Architectural Plans	09 07 20	Annabelle Chapman Architect
Shadow Diagrams	10 06 20	Annabelle Chapman Architect
Waste Management Plan	-	Annabelle Chapman Architect
Survey Plan	15 05 20	Pinnacle Land Surveyors Pty Ltd
Arborists Report	17 07 20	Margot Blues
Stormwater & Sediment Control Plan	28 07 20	Peninsula Consulting
Structural Engineering Plans	28 07 20	Peninsula Consulting
Geotechnical Report	12 06 20	White Geotechnical Group Pty Ltd
BASIX Certificate	-	Annabelle Chapman Architect
Statement of Environmental Effects	29 07 20	Planik Pty Ltd

3.2 Zoning and Permissibility

The site is located within zone E4 – Environmental Living under the Pittwater LEP 2014. Secondary dwellings are permitted with consent within this land zoning as detailed below.

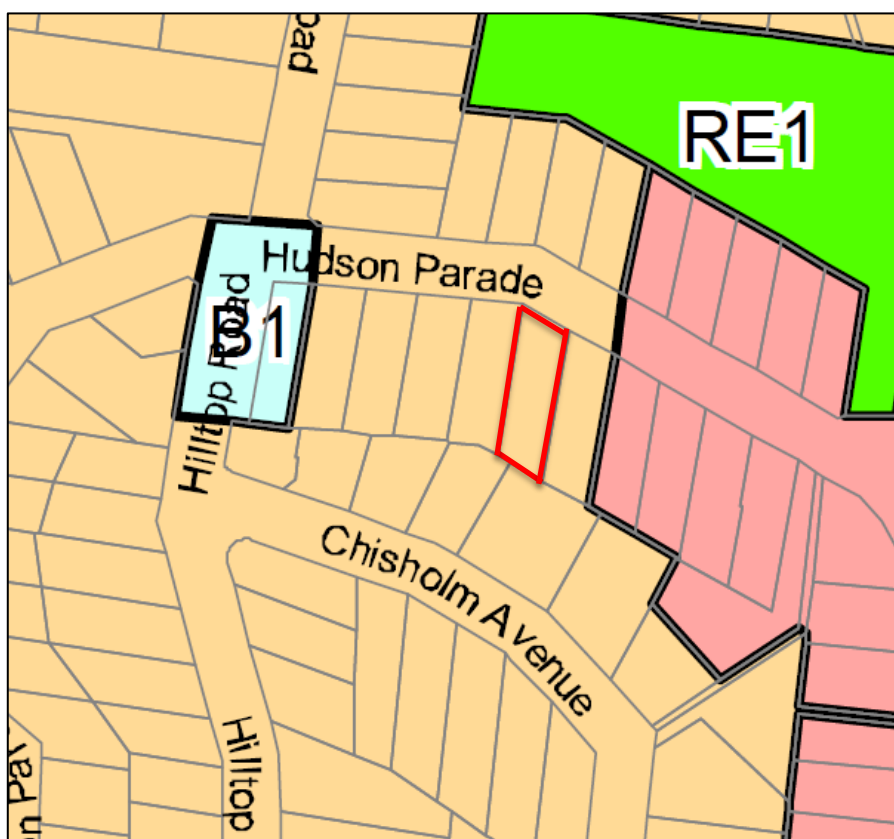


Figure 7 Pittwater LEP 2014 Land Zoning Map: E4 Environmental Living

Table 4 Zone E4 – Environmental Living Land Use Table

E4 – Environmental Living Land Use Table	
2 Permitted without consent	Home businesses; Home occupations
3 Permitted with consent	Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Places of public worship; Respite day care centres; Roads; <u>Secondary dwellings</u> ; Water recreation structures
4 Prohibited	Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

4 Planning Controls

4.1 State Environmental Planning Controls

4.1.1 State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

The application is not subject to clause 45 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure that trigger a written referral to the energy authority.

The proposal is not adjacent to a rail corridor and therefore Clause 87 of the SEPP does not apply.

The application is not subject to clause 101 of the SEPP as the site does not have frontage to a state classified road nominated as a Main Road.

The application is not subject to clause 102 of the SEPP as the proposed uses are non-sensitive and are not likely to be adversely affected by road noise or vibration.

4.1.2 State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)

The provisions of SEPP No. 55 have been considered in the assessment of the development application. The site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates the site is contaminated. Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under SEPP 55.

4.2 Pittwater Local Environmental Plan 2014

The Pittwater Local Environmental Plan 2014 (PLEP 2014) is the primary planning instrument applicable to the subject site. The site is zoned E4 Environmental Living under the PLEP 2014 which permits dwelling houses and secondary dwellings with consent.

The following table provides applicable clauses from the PLEP 2014.

Table 5 Pittwater Local Environmental Plan 2014 Applicable Controls.

PLEP 2014 Relevant Controls	Response	Compliant
Clause 1.2 [Relevant] Aims of Plan (2) The particular aims of this Plan are as follows: (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,	Refer to response in Table 1 of this report.	Yes

PLEP 2014 Relevant Controls	Response	Compliant
<p>(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,</p> <p>(e) to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,</p> <p>(f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,</p> <p>(g) to protect and enhance Pittwater's natural environment and recreation areas,</p> <p>(h) to conserve Pittwater's European and Aboriginal heritage,</p> <p>(i) to minimise risks to the community in areas subject to environmental hazards including climate change,</p> <p>(j) to protect and promote the health and well-being of current and future residents of Pittwater.</p>		
<p>Zone E4 – Environmental Living Objectives</p> <ul style="list-style-type: none"> • To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values. • To ensure that residential development does not have an adverse effect on those values. • To provide for residential development of a low density and scale integrated with the landform and landscape. • To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors. 	Refer to response in Table 2 of this report.	Yes
<p>4.3 Height of buildings</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>	The proposed new dwelling has a maximum height of 6.2m which complies with the 8.5m height control applicable to the site.	Yes
<p>4.4 Floor space ratio</p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p>	The subject site is not subject to a floor space ratio control.	N/A
<p>5.4 Controls relating to miscellaneous permissible uses</p> <p>(9) Secondary dwellings</p> <p>If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:</p> <p>(a) 60 square metres,</p> <p>(b) 25% of the total floor area of the principal</p>	<p>The total GFA of the primary dwelling is 163.5m²</p> <p>The GFA of the secondary dwelling GFA is 56m²</p>	Yes

PLEP 2014 Relevant Controls	Response	Compliant
dwelling.		
<p>5.10 Heritage conservation</p> <p>(2) Requirement for consent</p> <p>Development consent is required for any of the following:</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(f) subdividing land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p>	<p>This clause does not apply as the site does not contain heritage items and is not located within a heritage conservation area.</p>	<p>N/A</p>
<p>7.1 Acid Sulfate Soils</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p>	<p>The site is located within Class 5 classification regarding Acid Sulfate Soils. The water table is not expected to be disturbed by the proposal.</p>	<p>Yes</p>
<p>7.2 Earthworks</p> <p>(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>(2) Development consent is required for earthworks unless:</p> <p>(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.</p> <p>(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be</p>	<p>The proposed development would result in excavation to accommodate the proposed carport.</p> <p>A Geotechnical report prepared by White Geotechnical Group Pty Ltd has been submitted as part of this application demonstrating compliance with the objectives of Clause 7.2 can be achieved.</p>	<p>Yes</p>


PLEP 2014 Relevant Controls	Response	Compliant
<p>excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,</p> <p>(i) the proximity to and potential for adverse impacts on any heritage item, archaeological site or heritage conservation area.</p>		
<p>7.6 Biodiversity</p> <p>(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:</p> <p>(a) protecting native fauna and flora, and</p> <p>(b) protecting the ecological processes necessary for their continued existence, and</p> <p>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</p> <p>(2) This clause applies to land identified as "Biodiversity" on the Biodiversity Map.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:</p> <p>(a) whether the development is likely to have:</p> <p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p>	<p>This clause applies to the site as it is identified as 'Biodiversity' under the Pittwater LEP.</p> <p>The development would not have a significant adverse impact on the biodiversity of the flora and fauna within the subject site.</p>	<p>Yes</p>

PLEP 2014 Relevant Controls	Response	Compliant
<p>(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</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>		
<p>7.7 Geotechnical hazards</p> <p>(1) The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:</p> <p>(a) matches the underlying geotechnical conditions of the land, and</p> <p>(b) is restricted on unsuitable land, and</p> <p>(c) does not endanger life or property.</p> <p>(2) This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.</p> <p>(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:</p> <p>(a) site layout, including access,</p> <p>(b) the development’s design and construction methods,</p> <p>(c) the amount of cut and fill that will be required for the development,</p> <p>(d) waste water management, stormwater and drainage across the land,</p> <p>(e) the geotechnical constraints of the site,</p> <p>(f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless:</p> <p>(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</p> <p>(b) the consent authority is satisfied that:</p> <p>(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</p> <p>(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,</p>	<p>Please refer to Geotechnical Report prepared by White Geotechnical Group Pty Ltd demonstrating compliance with the requirements of Clause 7.7 of LEP.</p>	<p>Yes</p>

PLEP 2014 Relevant Controls	Response	Compliant
or (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.		

4.3 Pittwater 21 Development Control Plan 2014

The Pittwater 21 Development Control Plan 2014 (PDCP 2014) is used to provide comprehensive planning and design guidelines for development in the council area. Relevant clauses for the proposal are outlined in the table below.

PDCP 2014 Relevant Controls	Response	Compliant
A4 Localities		
A4.1 Avalon Beach Locality		
<p><i>Desired Character</i></p> <p>The most important desired future character is that Avalon Beach will continue to provide an informal relaxed casual seaside environment. The 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.</p> <p>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.</p>	<p>The proposal is consistent with the desired character of the Avalon Beach locality. The secondary dwelling will be in keeping with the low-density residential area. It is noted there are other examples of garage structures in the front setback within the streetscape - noting 17 Hudson Parade:</p>  <p>The proposed secondary dwelling achieves this objective and will not have a significant environmental impact.</p>	<p>Yes</p> <p>Yes</p>
B3 Hazard Controls		
B3.1 Landslip Hazard		
<p><i>Controls</i></p> <p>All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5).</p>	<p>Please refer to Geotechnical Report prepared by White Group Pty Ltd demonstrating compliance with the requirements of the DCP.</p>	<p>Yes</p>

PDCP 2014 Relevant Controls	Response	Compliant
<p>Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development.</p> <p>The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.</p>		
B4 Controls Relating to the Natural Environment		
<p>B4.22 Preservation of Trees and Bushland Vegetation</p> <p><i>Controls</i></p> <p>Requirements for other Development Applications</p> <p>6. Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.</p> <p>7. Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</p> <p>8. Development must also avoid any impact on trees on public land.</p> <p>9. For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 18 (P21DCP) is to be submitted.</p> <p>10. Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 19 (P21DCP) is to be submitted.</p>	<p>The application is accompanied by an Arborist report to assess the significance of the existing tree required to be removed to make way for the proposal.</p>	Yes
B5 Water Management		
<p>B5.7 Stormwater Management</p> <p><i>Controls</i></p> <p>The control is applicable when the development results in an additional hard (impervious) area of more than 50 square metres.</p> <p>Development shall incorporate the installation of the following stormwater quality improvement measures:</p> <p>Pre-screening of organic matter (eg leaf litter) prior to the collection of rainwater in the</p>	<p>The proposal would result in additional hard surface area on the site of 70m².</p> <p>A stormwater management plan prepared by Peninsula Consulting has been submitted as part of this application detailing the appropriate management of run-off on the subject site.</p> <p>An OSD tank is incorporated to the east of the terrace.</p>	Yes

PDCP 2014 Relevant Controls	Response	Compliant												
<p>rainwater tank</p> <p>A water quality filtration basket or equivalent primary treatment Stormwater Quality Improvement Device (SQID) to collect leaf litter and coarse sediments is to be installed prior to the discharge of stormwater from the land.</p>														
B6 Access and Parking														
<p>B6.1 Access driveways</p> <p><i>Controls</i></p> <p>General Requirements</p> <p>Access Driveways include the driveway pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve between the road edge and property boundary as illustrated in Appendix 10 -Driveway Profiles.</p> <p>An Access Driveway to the standards as set out below must be provided for:</p> <ul style="list-style-type: none"> any new development; any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m²; and where additional car parking spaces and/or garages are proposed. <p>Where there is an existing driveway and the applicant proposes to retain the existing driveway, the applicant will be required to demonstrate compliance with this control.</p> <p>Access Driveway Width</p> <p>The maximum width of an Access Driveway for dual occupancies, dwellings houses, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation shall be as follows:</p> <table border="1"> <thead> <tr> <th>Distance Building Line to Boundary</th><th>Width at Boundary</th><th>Width at Kerb</th></tr> </thead> <tbody> <tr> <td>Nil to 3.5m</td><td>Width of car parking area or garage opening</td><td>Width of car parking or garage opening plus 0.5m</td></tr> <tr> <td>Greater than 3.5m to 6.5m</td><td>4.0m</td><td>4.5m</td></tr> <tr> <td>Greater than 6.5m</td><td>3.0m</td><td>3.5m</td></tr> </tbody> </table> <p>Access Driveway width can be varied subject to a merit-based consideration.</p>	Distance Building Line to Boundary	Width at Boundary	Width at Kerb	Nil to 3.5m	Width of car parking area or garage opening	Width of car parking or garage opening plus 0.5m	Greater than 3.5m to 6.5m	4.0m	4.5m	Greater than 6.5m	3.0m	3.5m	<p>The proposal involves the retention of the existing driveway with minor modifications including a pervious parking area adjoining the front boundary.</p> <p>Council has recently replaced the vehicle crossing up to the front boundary. No change is proposed to these works.</p>	<p>Yes</p> <p>Yes</p>
Distance Building Line to Boundary	Width at Boundary	Width at Kerb												
Nil to 3.5m	Width of car parking area or garage opening	Width of car parking or garage opening plus 0.5m												
Greater than 3.5m to 6.5m	4.0m	4.5m												
Greater than 6.5m	3.0m	3.5m												


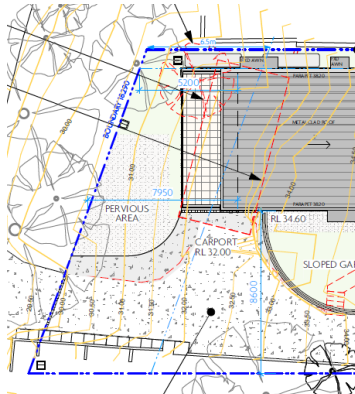
PDCP 2014 Relevant Controls	Response	Compliant						
B6.2 Internal Driveways <i>Controls</i> General An Internal Driveway must be provided for in: <ul style="list-style-type: none">any new development;development where additional car parking spaces and/or garages are required by Council's plans or policies;any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m2 ; anddevelopment where additional car parking spaces and/or garages are proposed. If the applicant proposes to retain the existing driveway, the applicant will need to demonstrate compliance with the outcomes and driveway standards of this control.	The proposal includes the retention and repair of the existing concrete driveway concourse and existing crossing to the specifications of AS2890.1-2004.	Yes						
B6.3 Off-street parking <i>Controls</i> The minimum number of vehicle parking spaces to be provided for off-street parking is as follows for dual occupancies, dwelling houses, secondary dwellings, exhibition homes, rural workers' dwellings and tourist and visitor accommodation: <table><tr><th>Number of bedrooms per dwelling but not a secondary dwelling</th><th>Parking requirements per dwelling</th></tr><tr><td>1 bedroom</td><td>1 space</td></tr><tr><td>2 bedrooms or more</td><td>2 spaces</td></tr></table> For a Secondary Dwelling a minimum of 1 space is required in addition to existing requirement for the principal dwelling (based on number of bedrooms in principal dwelling).	Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling	1 bedroom	1 space	2 bedrooms or more	2 spaces	3 spaces are required on site. The development provides car spaces in the following arrangement: 1 x within the existing garage, and 1 x within the carport proposed. A proposed pervious parking area in front of the main dwelling will provide area to turn vehicles on site or periodically a third car space for visitors and as such the required parking spaces are provided.	Yes
Number of bedrooms per dwelling but not a secondary dwelling	Parking requirements per dwelling							
1 bedroom	1 space							
2 bedrooms or more	2 spaces							
C1 Design Criteria for Residential Development								
C1.1 Landscaping <i>Controls</i> The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows: <ul style="list-style-type: none">A planter or landscaped area with minimum dimensions of 4m2 for shop top housing developments,60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual	The front setback of the subject site currently features significant topography rise and landscaping that screens the dwelling from the street. This is to be retained as part of the development.	Yes						

PDCP 2014 Relevant Controls	Response	Compliant
<p>occupancy, and</p> <ul style="list-style-type: none"> 50% for all other forms of residential development. <p>Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.</p>	<p>Only one small tree is required to be removed as part of this proposal. Refer to arborists report.</p>	<p>Yes</p>
<p>C1.2 Safety and Security Controls</p> <p>There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following:</p> <ol style="list-style-type: none"> 1. Surveillance 2. Access Control 3. Territorial Reinforcement 4. Space management 	<p>The proposal is consistent with the principles of CPTED, with the proposed carport and secondary dwelling not presenting any issues having regard to the safety of residents within the subject site.</p>	<p>Yes</p>
<p>C1.3 View Sharing Controls</p> <p>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p> <p>The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.</p>	<p>Achieved.</p> <p>There are no significant views to be enjoyed over the subject site by surrounding properties. In this regard the proposal does not present a view loss impact and allows for outlook onto trees and sky.</p>	<p>Yes</p> <p>Yes</p>
<p>C1.4 Solar Access Controls</p> <p>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</p> <p>Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).</p> <p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</p> <p>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</p> <p>The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment</p>	<p>The proposal does not present unreasonable additional overshadowing and would allow for private open space and living areas of adjoining properties to retain 3hrs of solar access in midwinter.</p> <p>Achieved. There are no solar collectors located on the roofs of the adjoining properties.</p> <p>Due to the site circumstances the neighbouring dwellings currently overshadow their respective rear yards due to the site orientation.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

PDCP 2014 Relevant Controls	Response	Compliant
Court planning principle for solar access.		
C1.5 Visual Privacy <i>Controls</i> Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level). Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building. Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.	The proposed secondary dwelling does not present any unreasonable visual privacy impacts upon surrounding properties, noting the placement of windows and orientation of openings towards the front boundary and internal to the site. The proposed terrace and elevated areas are appropriately screened with the eastern edge of the terrace having an outlook upon a timber wall at the adjoining property. Achieved.	Yes Yes Yes
C1.6 Acoustic Privacy <i>Controls</i> Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like. Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the <i>Building Code of Australia</i> . (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the <i>Building Code of Australia</i>). Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary. Developments must comply in all respects with the <i>Protection of the Environment Operations Act 1997</i> , and other relevant legislation.	Achieved. The secondary dwelling is set below and 8.67m north of the existing dwelling with its private open space including a north facing terrace. The external private open space area of the secondary dwelling would not result in acoustic impacts upon the existing dwelling or adjoining properties noting this space is orientated towards the front boundary.	Yes Yes Yes
C1.7 Private Open Space <i>Controls</i> <u>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</u> Minimum 80m ² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard. Within the private open space area, a minimum principal area of 16m ² with a minimum	POS primary dwelling: 4.6m x 8.6m (north facing level lawn) 330m ² rear garden in addition north facing first floor balcony 16m ² and 4m minimum dimension – Achieved	Variation acceptable

PDCP 2014 Relevant Controls	Response	Compliant
<p>dimension of 4m and grade no steeper than 1 in 20 (5%).</p> <p>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.</p> <p>Private open space areas are to have good solar orientation (i.e. orientated to the northeast or northwest 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).</p> <p>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</p> <p>Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private.</p> <p>A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.</p> <p>Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.</p> <p>An accessible and usable area for composting facilities within the ground level private open space is required.</p> <p><u>b) Secondary Dwellings:-</u></p> <p>For a secondary dwelling informal sharing arrangement for open space for occupiers is encouraged.</p>	<p>This is considered to be acceptable given the site topography.</p> <p>Achieved.</p> <p>Achieved.</p> <p>Achieved.</p> <p>Achieved.</p> <p>Achieved.</p> <p>The proposed balcony has dimensions of 3m x 7.5m and is sufficiently usable for recreation.</p> <p>Achieved.</p> <p>The site is capable of accommodating composting facilities.</p> <p>P.O.S Secondary dwelling / terrace: 3m x 7.5m = 22.5m²</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>C1.11 Secondary Dwellings and Rural Worker's Dwellings</p> <p><i>Controls</i></p> <p>The development of a secondary dwelling or rural worker's dwelling will result in not more than two (2) dwellings being erected on an allotment of land.</p> <p>A secondary dwelling or rural worker's dwelling contains not more than two (2) bedrooms and not more than one (1) bathroom.</p> <p>A landscaping strip of 1.5m minimum width shall be provided along the side boundary where any driveway is located adjacent to an</p>	<p>Achieved.</p> <p>Achieved.</p> <p>The proposal involves a landscaping strip of 1m which is an increase of 530mm from the existing situation.</p>	<p>Yes</p> <p>Yes</p> <p>Variation acceptable</p>

PDCP 2014 Relevant Controls	Response	Compliant
existing dwelling. Where the secondary dwelling or rural worker's dwelling is located within or is attached to the principal dwelling (including the garage) the maximum building height is to be in accordance with the height controls contained within <i>Pittwater Local Environmental Plan 2014</i> .	N/A	Yes
C1.12 Waste and Recycling Facilities <i>Control</i> Waste and recycling receptacles are to be stored within the property boundaries. Separate bins are to be provided for waste (garbage), paper recyclables and container recyclables.	The site is capable of containing waste bins entirely within the property boundaries.	Yes
C1.23 Eaves <i>Controls</i> Dwellings shall incorporate eaves on all elevations. Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.	Eaves are designed to the north and south sides. East and west have fixed awnings. The southern façade is finished at the top with a parapet and box gutter which would also control water on this façade.	Yes
D1 Locality Specific Development Controls – Avalon Beach Locality		
D1.1 Character as viewed from a public place <i>Controls</i> Buildings which front the street must have a street presence and incorporate design elements that are compatible with any design themes for the locality. Garages, carports and other parking structures must not be the dominant site feature when viewed from a public place. 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 7.5m whichever is lesser.	The subject dwelling is setback approximately 25m from the street and not highly visible from the public domain. The proposed carport and secondary dwelling would not be highly visible from the street given the retention of existing landscaping within the front setback that screens the current carport from the street.	Yes Yes
D1.5 Building colours and materials <i>Controls</i> External colours and materials shall be dark and earthy tones as shown below:	The proposed secondary dwelling and carport is finished in light render and stone elements as indicated on the submitted plans. The proposed variation is considered acceptable noting the following: <ul style="list-style-type: none"> materials will reflect the renovated main dwelling on the subject site. 13, 15, 17 Hudson all have white painted houses The light colour palette will not result in a dominant appearance when viewed from 	Variation acceptable.

PDCP 2014 Relevant Controls	Response	Compliant				
<div><div><div><div>Black ✓</div><div>Dark grey ✓</div><div>Dark green ✓</div></div><div><div>Dark brown ✓</div><div>Mid grey ✓</div><div>Green ✓</div></div><div><div>Brown ✓</div><div>Dark blue ✓</div></div></div><div>White, light coloured, red or orange roofs and walls are not permitted:</div><div><div>White ✗</div><div>Light blue ✗</div><div>Red ✗</div></div><div><div>Orange ✗</div><div>Light grey ✗</div><div>Beige ✗</div></div></div>	<p>the streetscape noting the significant vegetation adjacent to the front boundary which will screen the structure from the street. Refer image taken from street below.</p> <div></div> <p>Further, the adjoining garage structure at 17 Hudson Parade is of a white/light blue colour palette and as such the proposal is consistent with the established pattern of colours and finishes in the street.</p>					
<p>Variations</p> <p>Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.</p> <p>External materials and finishes shall be or shall appear to be natural, with subdued natural and dark coastal colours. Brighter colour accents shall be permitted. The dominant use of smooth shiny surfaces such as glass, metallics and plastics shall be avoided.</p> <p>Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.</p>						
<p>D1.8 Front Building Line</p> <p><i>Controls</i></p> <table><tr><th>Land</th><th>Front Building Line (metres)</th></tr><tr><td>All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living</td><td>6.5m or established building line, whichever is the greater</td></tr></table>	Land	Front Building Line (metres)	All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living	6.5m or established building line, whichever is the greater	<p>The existing carport stands foreword of the 6.5 metre front setback.</p> <p>The majority of the proposed carport and secondary dwelling structure is set behind the 6.5m setback, however, part of the open first floor terrace and open carport structure is 5.2m from the front boundary.</p> <p>The proposal will have a similar alignment to the garage structure at No.17 Hudson Parade which adjoins the site, noting this garage has a front setback of 3.09m-5.79m.</p> <div></div>	Yes
Land	Front Building Line (metres)					
All other land zoned R2 Low Density Residential, R3 medium Density Residential or E4 Environmental Living	6.5m or established building line, whichever is the greater					
<p>D1.9 Side and rear building line</p>						

PDCP 2014 Relevant Controls		Response	Compliant
Controls		Side:	
Land	Side & Rear Building Line (metres)	The proposed new building works comply with the setback requirements.	Yes.
Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	2.5m at least to one side; 1.0m for other side 6.5m rear (other than where the foreshore building line applies) Secondary dwelling 2.5m to at least one side; 1.0m for other side 6.5m rear (other than where the foreshore building line applies)	Rear: The proposal has a rear setback of >30m	Yes
D1.11 Building Envelope			
Controls			
<u>Development other than residential flat buildings and multi dwelling housing:</u>			
Planes are to be projected at 45 degrees from a height of 3.5m above ground level (existing) at the side boundaries to the maximum building height.		The proposal presents a minor variation to the building height plane as a result of the flat roof form of the secondary dwelling. The proposed variation is considered acceptable noting the addition will not have an adverse impact upon the solar access or amenity of the adjoining property. Further the element in breach of the height plane does not result in an adverse visual impact upon the streetscape or adjoining property.	Variation acceptable
Variations			
Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.		Eave is provided to northern elevation of secondary dwelling, awnings over other windows.	Yes
Council may consider a variation for the addition of a second storey where the existing dwelling is retained.		Achieved.	Yes
D1.14 Landscaped Area – Environmentally Sensitive Land			
Controls			
Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.		573 / 917.2 The proposal presents 60% soft landscaped area which is a slight reduction from the existing 62%	Yes

5 Environmental Effects

Under the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act), in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development subject of the development application.

Table 6 Section 4.15(1) Provisions to consider

EPA Act 1979 - Section 4.15(1) a) The Provisions of	
	Response
i) any environmental planning instrument	The key relevant planning instrument is the Pittwater Local Environmental Plan 2014. The proposal supports the aims of the LEP and is in accordance with all other relevant provisions of the documents, as discussed in Section 4. The proposal has been assessed against all the relevant planning instruments and complies.
ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	N/A
iii) any development control plan, and	The proposal has been assessed against the Pittwater 21 Development Control Plan 2014 and generally complies, as outlined in Section 4.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	There is no planning agreement.
iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	There are no relevant matters prescribed by the regulations.

The environmental impacts of the proposal have been considered throughout this SEE. The table below provides further assessment of all potential impacts considered within Section 4.15 (1b) of the EPA Act 1979.

Table 7 Response to Potential Environmental Impacts

Potential Impacts	Response
<i>Context and Setting</i>	The context/setting of the locality is not impacted by the proposed alterations and additions.
<i>Access, Transport and Traffic</i>	Appropriate access and carparking is provided for each dwelling as part of the proposal.
<i>Public Domain</i>	Not Impacted
<i>Utilities</i>	Utilities will serve the site as prior to development and be upgraded where necessary.
<i>Heritage</i>	The site is not impacted by an item of environmental heritage.
<i>Other Land Resources</i>	No other land resources will be impacted by the proposal.
<i>Water Quality</i>	Stormwater runoff will be managed in accordance with the concept Stormwater Management Plan submitted as part of this application.
<i>Air and Microclimate</i>	The air and microclimate will be maintained as a result of this proposal.
<i>Ecological</i>	Principles of ecologically sustainable development will be continued. The proposal does not impact any existing ecological areas in the vicinity of the site.
<i>Waste</i>	Waste not impacted by the proposal
<i>Energy</i>	A BASIX Certificate has been submitted as part of this application for the secondary dwelling. This demonstrates compliance with the State Government's energy efficiency requirements.
<i>Noise and Vibration</i>	The proposed development would not produce unreasonable noise levels given the low density residential use.
<i>Natural Hazards</i>	The proposal is supported by a geotechnical report that addresses structures on the sloping site. Otherwise, the site is not subject to any natural hazards.
<i>Technological Hazards</i>	All installations incorporated in this development will be best practice and comply with relevant Australian Standards.
<i>Safety, Security and Crime Prevention</i>	The proposal will not result in any safety or security issues.
<i>Social Impact in Locality</i>	The proposal supports the continued desire of a large proportion of the community for low density rental accommodation.
<i>Economic Impact in Locality</i>	The proposal will provide work on site during the construction phase.
<i>Site Design and Internal Design</i>	Having regard to design and site planning the proposal is positive and compatible with the scale of residential development in the locality.

Potential Impacts	Response
<i>Construction</i>	Appropriate construction management will be implemented to ensure there are no off-site impacts resulting from construction activities on the site.
<i>Cumulative Impacts</i>	No negative cumulative impacts are expected to be created by this proposal.

6 Conclusion

The development has been assessed against the provisions of the Pittwater Local Environmental Plan 2014 and the Pittwater 21 Development Control Plan 2014 and is consistent with the overall aims and objectives of the plans. The development represents a suitable design solution for the subject site that is not contrary to the public interest. The following reasons warrant the proposal worthy of approval:

- The proposal will facilitate population growth and provide an increase in housing choice to meet demand in the local area.
- The proposal will stimulate and support nearby local centres by the provision of a low-density development.
- The proposal will retain a built form and colour scheme which is in keeping with the character of the locality.
- The proposal will not negatively impact the amenity of the neighbourhood.
- Other environmental impacts of the development and future use of the land have been minimised