



STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations and Additions
to Existing Dwelling House
including a Swimming Pool**

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Clareville NSW 2107**

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This report has been prepared to support a Development Application under the *Environmental Planning and Assessment Act 1979*.

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1. Introduction and Background Information

1.1 Introduction

This report has been prepared as supporting documentation for a Development Application for alterations and additions to an existing dwelling house including a swimming pool at 61B Wandeen Road, Clareville, being Lot 19 within Deposited Plan 236667.

This report has been prepared following instructions from the project architects CHROFI. In preparing this application consideration has been given to the following:

- *Environmental Planning and Assessment Act, 1979* (as amended) (EP&A Act);
- Environmental Planning and Assessment Regulation 2000;
- Relevant State Environmental Planning Policies;
- Pittwater Local Environmental Plan 2014 (PLEP 2014);
- Pittwater Development Control Plan 21 (PDCP21);
- Survey Plan prepared by C.M.S Surveyors Pty Ltd;
- Cost Summary Report prepared by QS Plus
- Architectural Plans prepared by CHROFI Architects;
- Landscape Plan prepared by CHROFI Architects;
- Stormwater Plans prepared by Michael Frost;
- Geotechnical Assessment prepared by White Geotechnical Group;
- Arboricultural Impact Assessment prepared by Growing My Way;
- BASIX Certificate prepared by EcoMode.

This Statement of Environmental Effects describes the proposed development having particular regard to the provisions of Section 4.15 of the EP&A Act 1979 and examines any potential environmental impacts with regard to the relevant sections of the Act, State policies and requirements of Northern Beaches Council's PDCP.

The conclusions of the Statement of Environmental Effects are that the proposed development, being alterations and additions to an existing dwelling house including a swimming pool is permissible with development consent and is consistent with the relevant statutory planning instruments including Pittwater Local Environmental Plan 2014 and relevant planning policies of Pittwater Development Control Plan 21.

Accordingly, the Development Application succeeds on its merits and should be approved by Council, as submitted.

1.2 Background Information

The site was the subject of minor alterations and additions in 2018 under DA2018/1635. The application was approved on 27 February 2019. No further recent applications have been the subject of Council review. This application has not been the subject of a pre-lodgement meeting with Northern Beaches Council.

The application was the subject of an original design in July 2021. The proposal was shown to adjoining neighbours with numerous design amendments requested. As a result, the owners have modified the original design which is now the subject of this application.

2. Site Profile

2.1 Property Description

The subject allotment is described as 61B Wandeen Road, Clareville, legally known as Lot 19 within Deposited Plan 236667. The site is zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The site is not listed as a heritage item, nor is it located within a heritage conservation area.

2.2 Site and Locality Description

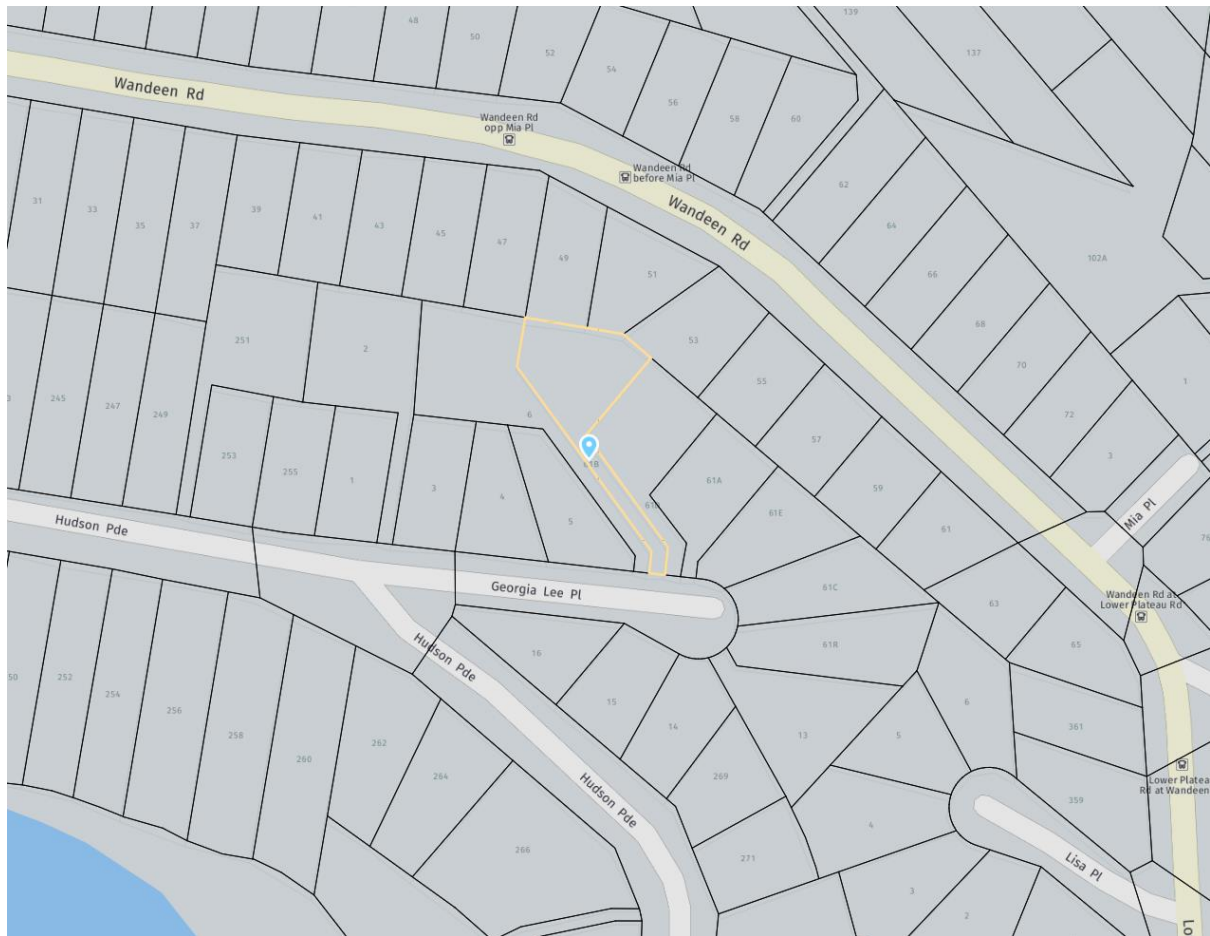
The site is located on the southern side of Wandeen Road, setback substantially from the street with a shared accessway located between 61 and 63 Wandeen Road, used by a number of different properties. The site is 1044sqm in size, with a steep topography dropping approximately 10m to the south-west of the site. The site has an existing part two storey brick dwelling house with a skillion metal roof, single-car carport, and associated landscaping. The locality maps below show the location and area of the site:

Locality Maps



Source: Nearmap 2021

Alterations and Additions to Existing Dwelling House including a Swimming Pool
61B Wandeen Road, Clareville



Source: Nearmap 2021

The locality has a variety of property types and sizes. The existing surrounding development comprises a mix of single detached dwellings comprising of one to three storeys, with mature vegetation surrounding the area.

The proposal is not out of context and will fit in with the existing streetscape of the precinct. A streetscape analysis is provided on the following pages:

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Photograph of the site from the shared driveway looking south – 61B Wandeen Road



Photograph of the neighbour to the west – 6 Georgia Lee Place



Photograph from the rear deck of the neighbour to the east – 8 Georgia Lee Place



Photograph of the site from the rear boundary looking north to the dwelling

Alterations and Additions to Existing Dwelling House including a Swimming Pool
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Photographs of the shared driveway looking east and west



3. Proposal

The proposed development is for demolition works, alterations and additions to an existing dwelling house, including a swimming pool at 61B Wandeen Road, Clareville, being Lot 19 within Deposited Plan 236667. The proposal remains consistent with the streetscape of Wandeen Road and the locality. The proposal is consistent with relevant Council controls and ensures privacy, solar access and views are maintained for surrounding properties and the site.

The proposed works include the following:

Dwelling House

Lower Ground Floor

- Pool and outdoor area
- Main bedroom with robe and ensuite
- Stairs

Ground Floor

- 3 x bedrooms
- Balcony
- Bin storage area
- Workshop
- Stairs
- Rumpus room
- Powder room
- Kitchen (existing)
- Laundry (existing)
- Bathroom (existing)
- Living room (existing)
- Dining room (existing)
- Carport (existing)
- Landscaping works (existing)

Refer to architectural plans prepared by CHROFI for a full description of all works.

4. Statutory Planning Controls

The proposal has been assessed in accordance with the following instruments and controls:

- *Environmental Planning and Assessment Act 1979*, and *Environmental Planning and Assessment Regulation 2000*;
- *State Environmental Planning Policies*;
- *Pittwater Local Environmental Plan 2014*; and
- *Pittwater Development Control Plan 21*.

4.1 *Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)*

The EP&A Act 1979 governs all environmental planning instruments within New South Wales. The proposal has been reviewed pursuant to the matters for consideration within Section 4.15 of the EP&A Act 1979.

The proposal is not Designated Development under Section 4.10 of the EP&A Act 1979 or Schedule 3 of the EPA Assessment Regulation 2000, therefore Northern Beaches Council is the Consent Authority. In addition, the proposal does not constitute an Integrated Development under the EP&A Act 1979, Section 4.46 with no further approvals from other Government agencies required.

4.2 *State Environmental Planning Policies (SEPPs)*

SEPP (Infrastructure) 2007

It is submitted that the proposal does not fall under the provisions of SEPP (Infrastructure) 2007 and therefore no assessment is required.

BASIX and Energy Efficiency (SEPP Building Sustainability Index: BASIX) 2004

The proposal has been assessed in accordance with the relevant provisions of the BASIX and Energy Efficiency (SEPP Building Sustainability Index: BASIX) 2004. The proposal is supported by a BASIX Certificate which confirms compliance with the relevant requirements for Water and Energy.

SEPP No. 55 Remediation of Land

Clause 7 of SEPP No. 55 Remediation of Land requires the consent authority to consider whether land is contaminated prior to granting of consent to the carrying out of any development on that land.

It is submitted that the site has been used for the purpose of residential accommodation for decades. It is envisaged that land contamination should not be on the site and no further reports are required. Notwithstanding the above, builder/contractors should take all measures to ensure if contamination is found during construction that relevant procedures are followed to report and remove contaminated materials.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development remains consistent with the provisions of the SEPP as it does not propose the removal of any significant vegetation. Refer to Arboricultural Impact Assessment Report for full analysis.

4.3 Pittwater Local Environmental Plan 2014 (PLEP2014)

The relevant matters to be considered under the PLEP2014 are outlined below in the LEP summary compliance table.

Part 1: Preliminary		
Standard	Control	Comments
1.2 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, (d) to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future, (e) to improve access throughout Pittwater,	Complies – the proposal has been skilfully designed by the project architects as alterations and additions to an existing dwelling house including a swimming pool. The proposal integrates the addition into the existing dwelling and the steep topography of land while reducing bulk and scale through works to the lower ground floor instead of an addition above the ground floor. The proposal is consistent with the streetscape and will complement the character of the area.

	<p>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>	
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Part 4: Principal Development Standards			
Standard	Permitted	Proposed	Comments
4.1 Minimum subdivision lot size	700sqm	N/A	No change to existing lot size 1044sqm
4.1AA Minimum subdivision lot size for community title schemes	N/A	N/A	N/A
4.1B Minimum lot sizes for dual occupancies	N/A	N/A	N/A
4.2 Rural subdivision	N/A	N/A	N/A
4.2A Minimum subdivision lot size for strata plan schemes in certain rural, residential and environment protection zones	N/A	N/A	N/A
4.3 Height of buildings	8.5m	6.5m dwelling and 7.2m deck and	Complies

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		swimming pool	
4.4 Floor space ratio	N/A	N/A	N/A
4.5 Calculation of floor space ratio and site area	Noted	N/A	Noted
4.5A Density controls for certain residential accommodation	N/A	N/A	N/A
4.6 Exceptions to development standards	Noted	N/A	N/A – no breaches to development standards proposed

Part 5: Miscellaneous Provisions	
Provisions	Comments
5.1 Relevant acquisition authority	N/A
5.1A Development on land intended to be acquired for a public purposes	N/A
5.2 Classification and reclassification of public land	N/A
5.3 Development near zone boundaries	N/A
5.4 Controls relating to miscellaneous permissible uses	N/A
5.5 (Repealed)	N/A
5.6 Architectural roof features	N/A
5.7 Development below mean high water mark	N/A
5.8 Conversion of fire alarms	N/A
5.9, 5.9AA (Repealed)	N/A
5.10 Heritage conservation	N/A
5.11 Bush fire hazard reduction	N/A
5.12 Infrastructure development and use of existing buildings of the Crown	N/A
5.13 Eco-tourist facilities	N/A
5.14 Siding Spring Observatory – maintaining dark sky	N/A
5.15 Defence communications facility	N/A
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones	N/A
5.17 Artificial waterbodies in environmentally sensitive areas in	N/A

areas of operation of irrigation corporations	
5.18 Intensive livestock agriculture	N/A
5.19 Pond-based, tank-based and oyster aquaculture	N/A
5.20 Standards that cannot be used to refuse consent—playing and performing music	N/A
5.21 Flood planning	N/A
5.22 Special flood considerations	N/A

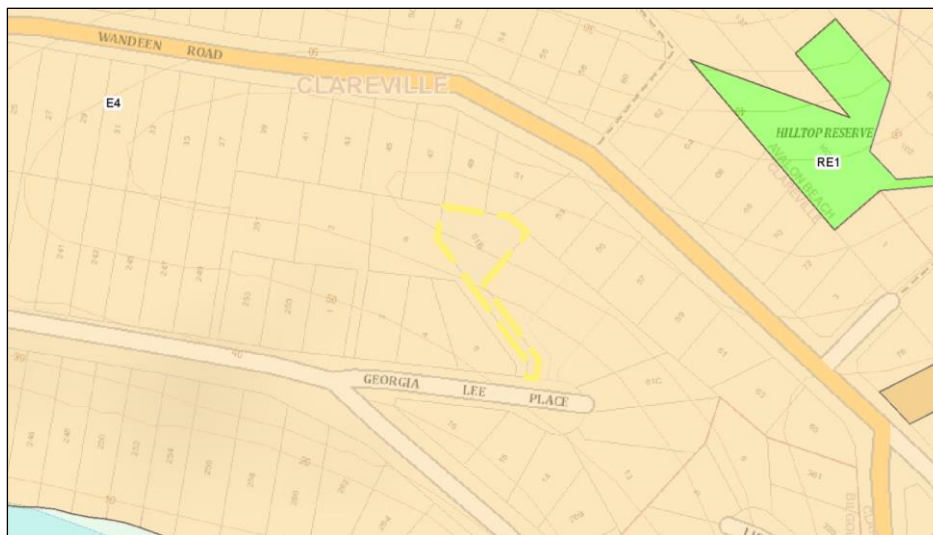
Part 6: Urban Release Areas	
Provisions	Comments
6.1 to 6.2	N/A – the site is not located within an urban release area.

Part 7: Relevant Additional Local Provisions	
Provisions	Comments
7.1 Acid sulfate soils	The site is identified as Class 5 Acid Sulfate Soils. Refer to assessment under 7.1 Acid Sulfate Soils below table.
7.2 Earthworks	The proposal includes minor earthworks to the site. Refer to assessment under 7.2 Earthworks below table.
7.3 (Repealed)	N/A
7.4 Floodplain risk management	N/A – the site is not identified as flood prone land.
7.5 Coastal risk planning	N/A – the proposal is not identified in the areas highlighted as coastal risk planning.
7.6 Biodiversity	The proposal is identified within the biodiversity map. Refer to assessment under 7.6 Biodiversity below table.
7.7 Geotechnical hazards	The proposal is identified within the geotechnical hazards map. Refer to assessment under 7.7 geotechnical hazards below table.
7.8 Limited development on foreshore area	N/A
7.9 Residual lots	N/A
7.10 Essential service	Complies – the site has adequate access to the relevant essential services.
7.11 Converting serviced apartments to residential flat buildings	N/A
7.12 Location of sex service premises	N/A

Relevant Schedules	
Schedule	Comments
Schedule 1 – Additional permitted uses	N/A
Schedule 2 – Exempt development	N/A

Schedule 3 – Complying development	N/A
Schedule 4 – Classification and reclassification of public land	N/A
Schedule 5 – Environmental heritage	N/A
Schedule 6 – Pond-based and tank-based aquaculture	N/A

Zoning Provisions



Zone E4 Environmental Living

1 Objectives of zone

- 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.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures

4 Prohibited

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

The proposed use is defined as follows under Pittwater LEP2014:

dwelling house means a building containing only one dwelling.

Note— Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

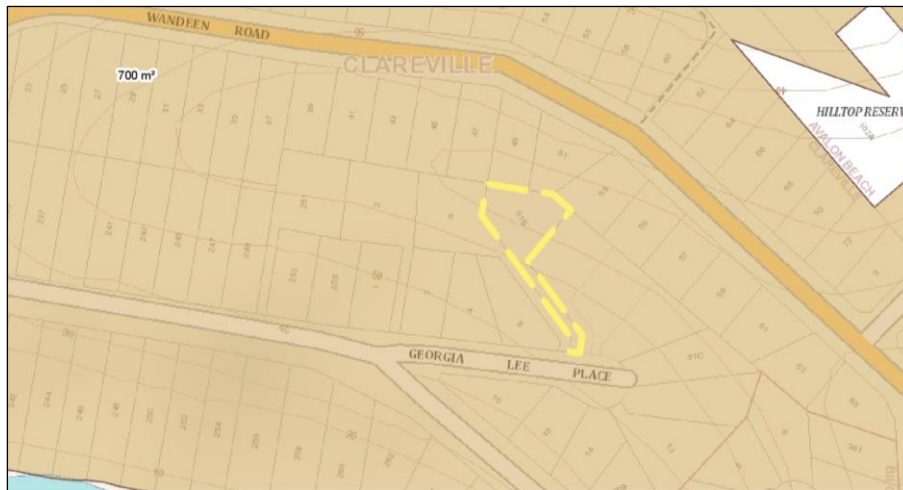
Comment:

The site is zoned E4 Environmental Living. A dwelling house and associated works are permissible land uses; therefore, the proposal for alterations and additions to an existing dwelling is permissible with Council's consent. The proposal is consistent with the objectives of the zone, as supported below:

- The proposal provides a low-impact residential development within the Clareville locality. This includes compliant setbacks, building height and appropriate landscaping.
- The proposal encourages the revitalisation and rehabilitation of the existing site while retaining the aesthetic values, ecological aspects of the area and the coastline setting.
- The proposal has been strategically designed to sit in the topography of the land to minimise bulk, scale and amenity impacts to adjoining neighbours such as privacy, view loss and access to sunlight.

Part 4 Principal development standards

4.1 Minimum subdivision lot size



(1) *The objectives of this clause are as follows—*

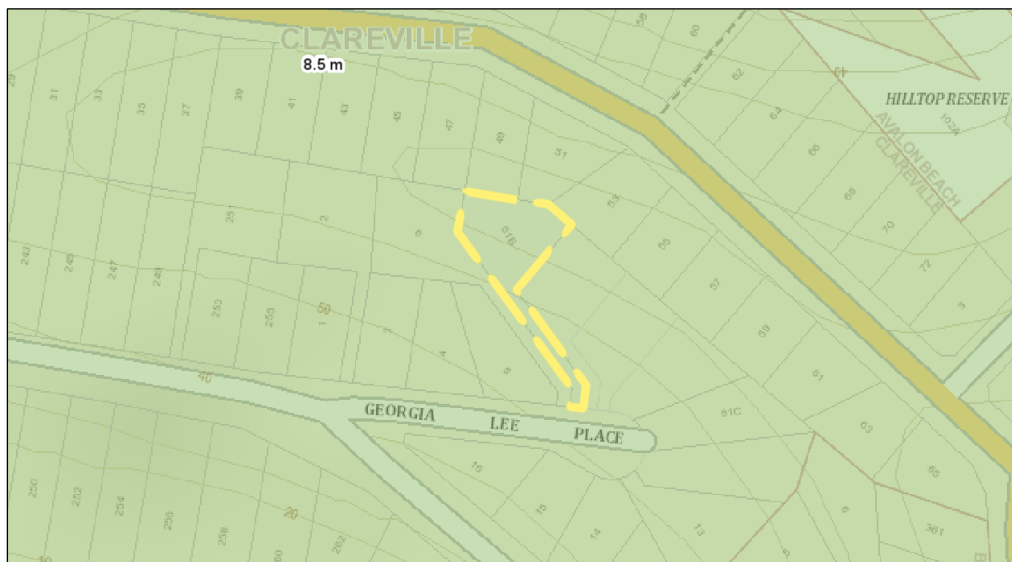
- (a) *to protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality,*
- (b) *to provide for subdivision where all resulting lots are capable of providing for the construction of a building that is safe from hazards,*

- (c) to provide for subdivision where all resulting lots are capable of providing for buildings that will not unacceptably impact on the natural environment or the amenity of neighbouring properties,*
- (d) to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,*
- (e) to provide for subdivision where all resulting lots can be provided with adequate and safe access and services,*
- (f) to maintain the existing function and character of rural areas and minimise fragmentation of rural land,*
- (g) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.*
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.*
- (4) This clause does not apply in relation to the subdivision of any land—*
 - (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or*
 - (b) by any kind of subdivision under the Community Land Development Act 1989.*

Comment:

The site has a minimum lot size of 700sqm. The proposal is for alterations and additions to an existing dwelling house, a swimming pool and associated works. The proposal does not change the lot size of the property, nor does it propose any subdivision amendments. Clause 4.1 is not applicable to this assessment.

4.3 Height of buildings



(1) *The objectives of this clause are as follows—*

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
- (b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (c) to minimise any overshadowing of neighbouring properties,*
- (d) to allow for the reasonable sharing of views,*
- (e) to encourage buildings that are designed to respond sensitively to the natural topography,*
- (f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

(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.*

(2A) *Despite subclause (2), development on land—*

- (a) at or below the flood planning level or identified as “Coastal Erosion/Wave Inundation” on the Coastal Risk Planning Map, and*
- (b) that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map, may exceed a height of 8.5 metres, but not be more than 8.0 metres above the flood planning level.*

(2B) *Despite subclause (2), development on land—*

- (a) at or below the flood planning level or identified as “Coastal Erosion/Wave Inundation” on the Coastal Risk Planning Map, and*
- (b) that has a maximum building height of 11 metres shown for that land on the Height of Buildings Map, may exceed a height of 11 metres, but not be more than 10.5 metres above the flood planning level.*

(2C) *Despite subclause (2), development on an area of land shown in Column 1 of the table to this subclause and identified as such on the Height of Buildings Map, may exceed the maximum building height shown on the Height of Buildings Map for that land, if the height of the development is not greater than the height shown opposite that area in Column 2.*

Column 1	Column 2
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Area	Maximum height above the flood planning level
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Area 1	11.5 metres
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Area 2	8.5 metres on the street frontage and 10.5 metres at the rear
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Area 3	8.5 metres
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Area 4	7.0 metres
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(2D) *Despite subclause (2), development on land that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map may exceed a height of 8.5 metres, but not be more than 10.0 metres if—*

- (a) the consent authority is satisfied that the portion of the building above the maximum height shown for that land on the Height of Buildings Map is minor, and*
- (b) the objectives of this clause are achieved, and*

- (c) the building footprint is situated on a slope that is in excess of 16.7 degrees (that is, 30%), and*
- (d) the buildings are sited and designed to take into account the slope of the land to minimise the need for cut and fill by designs that allow the building to step down the slope.*
- (2E) Despite subclause (2), development for the purposes of shop top housing on land identified as "Area 5" on the Height of Buildings Map may have a height of up to 10 metres if the top floor of the building is setback a minimum of 6 metres from the boundary to the primary street frontage.*
- (2F) Despite subclause (2), development on land identified as "Area 6" on the Height of Buildings Map must not exceed 8.5 metres within the area that is 12.5 metres measured from the boundary of any property fronting Orchard Street, Macpherson Street, Warriewood Road or Garden Street.*
- (2FA) Despite subclause (2), the maximum height for a secondary dwelling or a rural worker's dwelling in Zone E4 Environmental Living or Zone RU2 Rural Landscape is 5.5 metres if the secondary dwelling or rural worker's dwelling is separate from the principal dwelling.*
- (2FB) Despite subclause (2), in the case of a dual occupancy (detached), the maximum height for the dwelling that is furthest back from the primary street frontage of the lot is 5.5 metres.*
- (2G) In this clause—*
- flood planning level** means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard, or other freeboard determined by an adopted floodplain risk management plan.*
- floodplain risk management plan** has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.*

Comment:

The site has a maximum building height provision of 8.5m. The proposed alterations and additions to the existing dwelling house have been strategically designed to a maximum height of 6.5m for the dwelling and 7.2m for the new deck and swimming pool off the lower ground floor, with the front of the dwelling house approx. 3.55m in height. It is important to note the steep topography of the land, dropping to the rear and the building height of adjoining properties.

The proposal complies with the maximum building height controls and is consistent with the relevant objectives of Clause 4.3:

- The proposal is consistent with the building heights and roof forms of the area, noting that a streetscape review noted developments ranging from one to three storeys in height due to the topography of the area.
- As noted above, the proposed maximum RL is below the adjoining neighbours to the east and west. The proposal is compatible with the height and scale of surrounding and nearby developments.
- The proposal has no adverse impacts to views or view corridors. The proposal has been designed under the 8.5m maximum building height.
- The proposal does not adversely impact existing solar access to private and public places.
- The proposal has been designed to respond to the sensitivity of the site and area with respect to the natural topography. The proposal has been built into the land to blend it in with the natural environment while retaining existing landscaping onsite.

4.4 Floor space ratio

Comment: Not applicable.

4.6 Exceptions to development standards

(1) The objectives of this clause are as follows—

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

(4) Development consent must not be granted for development that contravenes a development standard unless—

(a) the consent authority is satisfied that—

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

(b) the concurrence of the Planning Secretary has been obtained.

(5) In deciding whether to grant concurrence, the Planning Secretary must consider—

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) the public benefit of maintaining the development standard, and*
- (c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—

- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
- (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

Note— When this Plan was made it did not include all of these zones.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

(8) *This clause does not allow development consent to be granted for development that would contravene any of the following—*

- (a) a development standard for complying development,*
- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
- (c) clause 5.4.*

Comment: Not applicable – no proposed breaches to development standards.

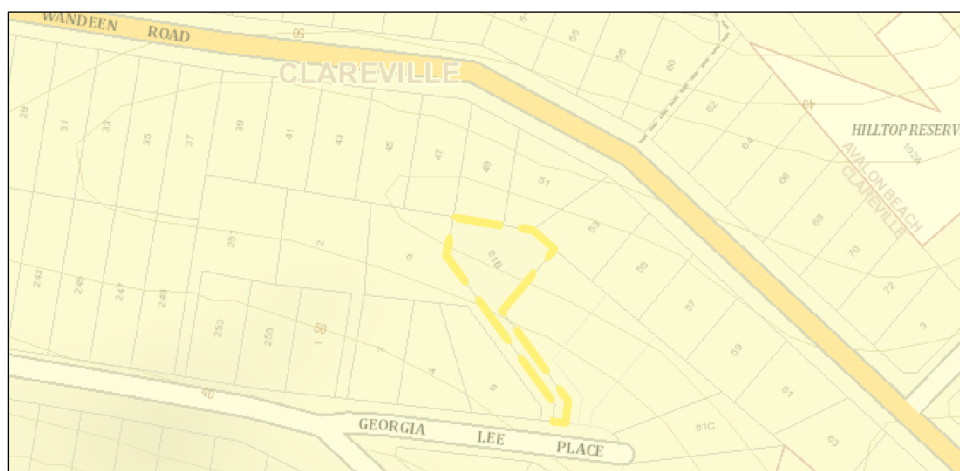
Part 5 Miscellaneous provisions

5.10 Heritage conservation

Comment: Not applicable – the site is not identified as a heritage item nor is it located within a conservation area.

Part 7 Additional local provisions

7.1 Acid sulfate soils



- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
- (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.*

<i>Class of land</i>	<i>Works</i>
1	Any works.
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.

- 4 *Works more than 2 metres below the natural ground surface.
Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.*
- 5 *Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and
by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.*
- (3) Development consent must not be granted under this clause for the carrying out of works unless
an acid sulfate soils management plan has been prepared for the proposed works in accordance with
the Acid Sulfate Soils Manual and has been provided to the consent authority.*
- (4) Despite subclause (2), development consent is not required under this clause for the carrying out
of works if—*
- (a) a preliminary assessment of the proposed works prepared in accordance with the Acid
Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for
the works, and*
 - (b) the preliminary assessment has been provided to the consent authority and the consent
authority has confirmed the assessment by notice in writing to the person proposing to carry
out the works.*
- (5) Despite subclause (2), development consent is not required under this clause for the carrying out
of any of the following works by a public authority (including ancillary work such as excavation,
construction of access ways or the supply of power)—*
- (a) emergency work, being the repair or replacement of the works of the public authority,
required to be carried out urgently because the works have been damaged, have ceased to
function or pose a risk to the environment or to public health and safety,*
 - (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement
of the works of the public authority (other than work that involves the disturbance of more
than 1 tonne of soil),*
 - (c) minor work, being work that costs less than \$20,000 (other than drainage work).*
- (6) Despite subclause (2), development consent is not required under this clause to carry out any
works if—*
- (a) the works involve the disturbance of less than 1 tonne of soil, and*
 - (b) the works are not likely to lower the watertable.*

Comment: The site is identified as Class 5 Acid Sulfate Soils. The development proposes minor excavations works to the site, it is considered that due to the topography and location of the site there will be no impacts to the existing watertable.

7.2 Earthworks

- (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.*
- (2) Development consent is required for earthworks unless—*
- (a) the earthworks are exempt development under this Plan or another applicable
environmental planning instrument, or*
 - (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.*
- (3) In deciding whether to grant development consent for earthworks (or for development involving
ancillary earthworks), the consent authority must consider the following matters—*
- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability
in the locality of the development,*

- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,*
- (i) the proximity to and potential for adverse impacts on any heritage item, archaeological site or heritage conservation area.*

(4) In this clause—

environmentally sensitive area has the same meaning as environmentally sensitive area for exempt or complying development in clause 3.3.

Note— The National Parks and Wildlife Act 1974, particularly section 86, deals with harming Aboriginal objects.

Comment:

The proposal has been strategically designed to integrate the house into the slope which retaining the landscape features of the site. A Geotechnical Assessment was undertaken by White Geotechnical Group. Refer to the report for full analysis of excavation support requirements for the project.

7.4 Floodplain risk management

(1) The objectives of this clause are as follows—

- (a) in relation to development with particular evacuation or emergency response issues—to enable evacuation of land subject to flooding in events exceeding the flood planning level,*
- (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events.*

Comment:

Not applicable – the site is not identified as flood prone land.

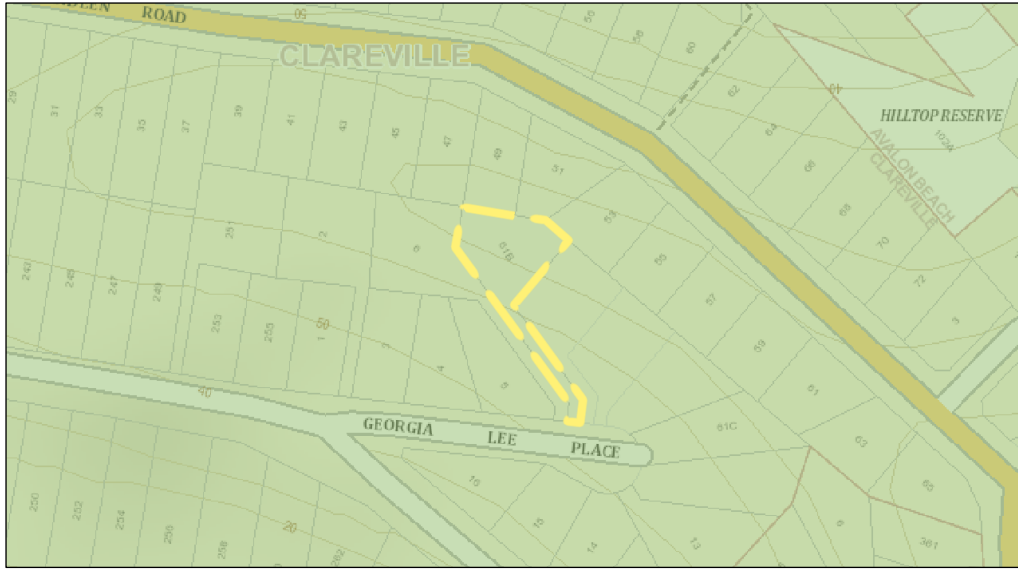
7.5 Coastal risk planning

(1) The objectives of this clause are as follows—

- (a) to avoid significant adverse impacts from coastal hazards,*
- (b) to ensure uses of land identified as coastal risk are compatible with the risks presented by coastal hazards,*
- (c) to enable the evacuation of land identified as coastal risk in an emergency,*
- (d) to avoid development that increases the severity of coastal hazards.*

Comment: Not applicable – the site is not identified under coastal risk planning.

7.6 Biodiversity

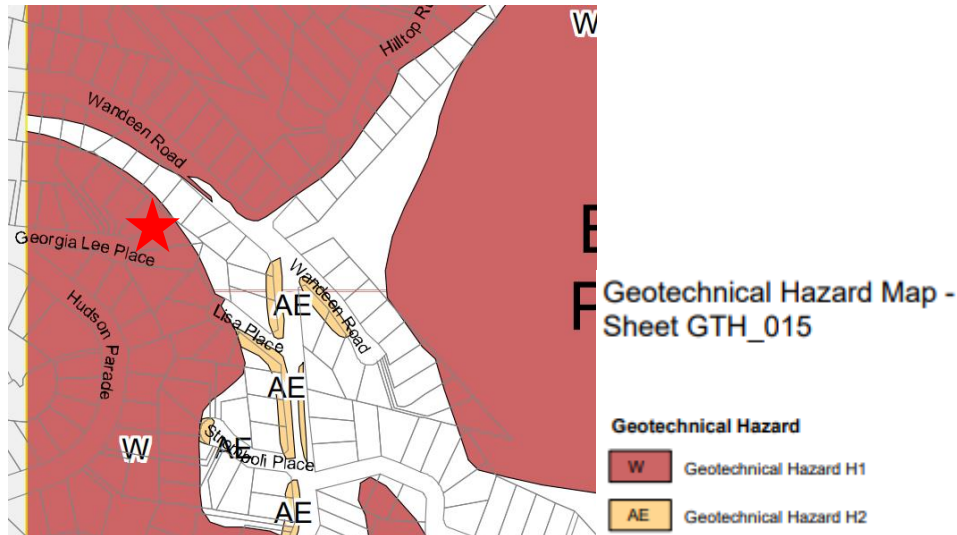


- (1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by—
 - (a) protecting native fauna and flora, and*
 - (b) protecting the ecological processes necessary for their continued existence, and*
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.**
- (2) This clause applies to land identified as “Biodiversity” on the [Biodiversity Map](#).*
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—
 - (a) whether the development is likely to have—
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
 - (iv) any adverse impact on the habitat elements providing connectivity on the land, and**
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.**
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
 - (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*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.**

Comment:

The development does not involve the removal of any trees and will retain the existing landscaping onsite. The proposal will protect and the flora on the site which in turn increases the ecological processes and development of fauna in the area.

7.7 Geotechnical hazards



(1) *The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards—*

- (a) matches the underlying geotechnical conditions of the land, and*
- (b) is restricted on unsuitable land, and*
- (c) does not endanger life or property.*

(2) *This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.*

(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.*

(4) *Development consent must not be granted to development on land to which this clause applies unless—*

- (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*
- (b) the consent authority is satisfied that—*

- (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*
- (ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or*
- (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.*

Comment:

The proposal has been strategically designed to integrate the house into the slope which retaining the landscape features of the site. A Geotechnical Assessment was undertaken by White Geotechnical Group. Where potential hazards have been identified, suitable construction measures are recommended along with the presence of the geotechnical consultant when constructing. Refer to the report for full analysis of excavation support requirements for the project.

7.10 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable vehicular access.*

Comment:

Complies – the proposal will utilise existing essential services available to the site.

4.4 Pittwater Development Control Plan (PDCP21)

In designing the proposed changes to the built form, due consideration has been given to the respective sections and objectives of PDCP21, in particular:

Key components of the DCP have been detailed below. The proposal is compliant with relevant provisions of the PDCP21.

Section A Shaping Development in Pittwater		
Control	Proposed	Compliance
<p>A4.3 Bilgola Locality <u>Desired Character</u> <i>The Bilgola 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. Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.</i></p> <p><i>The three distinct areas within the Bilgola locality (as identified in Bilgola Locality Map 2) will, by their unique differences, require differing and distinct degrees of control to ensure the individual characteristics and essence of each area are maintained and enhanced:</i></p> <p><u>The Plateau Area:</u> <i>Will provide for some dual occupancies, on land that does not have tree canopy coverage, species and habitat diversity, or 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.</i></p>	<p>The proposed development involves alterations and additions to an existing dwelling that will retain the low-density character of the area. The resultant building will be two-storeys in height and effectively responds to the topography of the land and the irregular shaped allotment.</p> <p>The development does not include a secondary dwelling or dual occupancy.</p> <p>The development will be adequately serviced by existing services and infrastructure, including the shared driveway.</p> <p>The development will retain the existing landscaping at the front of the dwelling and the mature trees at the rear of the site to ensure the biodiversity and landscape setting of the site is protected.</p> <p>The proposal complies with the desired character of the Bilgola locality and therefore warrants approval as submitted.</p>	Yes

Section B General Controls		
Control	Proposed	Compliance
B1 Heritage Controls		
B1.1-1.4	Not applicable – the site is not identified as a heritage item or within a heritage conservation area, nor does it adjoin or will impact a heritage item.	N/A
B2 Density Controls		
B2.1-B2.6	Not applicable – the proposal does not include Torrens or strata subdivision	N/A
B3 Hazard Controls		
B3.1 Landslip Hazard <i>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).</i> <i>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.</i> <i>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.</i>	Complies – the proposal is supported by a geotechnical assessment report in accordance with Northern Beaches Councils requirements. Refer to Geotechnical Investigation Report prepared by White Geotechnical Group.	Yes
B3.2-B3.13	Not applicable – the site is not identified as any of these hazards.	N/A
B4 Controls Relating to the Natural Environment		
B4.1-B4.22	Complies - An Arboriculture Impact Assessment was undertaken by Growing My Way and is submitted as part of the DA package.	Yes

B5 Water Management		
<p>B5.15 Stormwater</p> <p>Objectives</p> <ul style="list-style-type: none"> • <i>Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;</i> • <i>Minimise the risk to public health and safety;</i> • <i>Reduce the risk to life and property from any flooding and groundwater damage;</i> • <i>Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.</i> • <i>Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle</i> • <i>Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources</i> • <i>Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.</i> <p>Requirements</p> <p><i>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</i></p>	<p>Complies – the proposed stormwater provisions have been designed by qualified engineers to relevant Australian Standards.</p>	<p>Yes</p>

<p><i>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</i></p>		
<p>B6 Access and Parking</p>		
<p>B6.1 Access driveways and Works on the Public Road Reserve</p> <p><i>Controls</i></p> <p><i>General Requirements</i></p> <p><i>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.</i></p> <p><i>An Access Driveway to the standards as set out below must be provided for:</i></p> <ul style="list-style-type: none"> <i>any new development;</i> <i>any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m²; and</i> <i>where additional car parking spaces and/or garages are proposed.</i> <p><i>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.</i></p> <p><i>Access Driveway Design</i></p> <p><i>The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:</i></p> <ul style="list-style-type: none"> <i>Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking.</i> <i>Australian Standard AS/NZS 2890.2-2002: Parking Facilities – Part 2: Off-</i> 	<p>The proposal retains the existing driveway into the site and the two-car carport onsite. The site has shared vehicular access from Wandeen Road, notated as easement (on the survey plan provided).</p> <p>The development does not propose to change the existing carport, however, will provide a new continuous roof structure over the two-car carport.</p> <p>The proposed alterations and additions to the existing dwelling house does not result in a requirement for additional car spaces to be provided.</p> <p>The design of the existing driveway and carport have been constructed in accordance with all relevant Australian Standards.</p>	<p>Yes</p>

<p><i>Street Commercial Vehicle Facilities except as qualified in this control.</i></p> <p><i>Number of Access Driveways per Allotment</i></p> <p><i>The number of permissible Access Driveways to an allotment is as follows:</i></p> <ul style="list-style-type: none"> <i>where the frontage of an allotment to a local public road is less than 30m, one only access driveway.</i> <i>where the frontage of an allotment to a local public road is 30m or more, a second access driveway will be considered on merit.</i> <i>where the allotment has a frontage to a second local public road, one additional access driveway to the second local road frontage will be considered on merit, based on Council's consideration of the site constraints.</i> <p><i>Council, under the Local Government Act 1993, may direct as to which frontage access is to be gained where traffic safety issues are a consideration.</i></p> <p><i>Shared Driveways and Access Driveways located in front of adjoining properties</i></p> <p><i>Shared Access Driveways shared between adjoining private properties and Access Driveways located in front of adjoining properties will be considered on merit, based on Council's consideration of the site constraints.</i></p> <p><i>Access Driveway for Service Vehicles to Loading Dock</i></p> <p><i>Access Driveways providing access for service vehicles to loading docks must be separated from access used by the general public for access to public parking areas.</i></p>		
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Access Driveways providing access for service vehicles to loading docks shall, where practical, be located on a rear public road frontage providing separation from pedestrian activity.

Where Access Driveways are located on the same frontage, the minimum distance between an Access Driveway for service vehicles and an Access Driveway for the general public shall be 5 metres from the inside edge to the inside edge of the Access Driveways.

Access Driveway Location

Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:

- minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 kph speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; and*
- minimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary.*

For corner allotments, the closest point of the Access Driveway shall be located at the maximum practical distance from the intersection of adjoining roads, being no closer than 6m from the tangent point at the kerb.

For corner allotments adjacent to traffic signals, the location of the Access Driveway will be subject to the approval of the Roads and Maritime Services as the authority responsible for traffic signal facilities.

For developments in commercial centres where separate entry/exit vehicular access is required, access driveways for entry and exit are to be separated by a minimum distance of 2 metres.

The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.

Access Driveway Width

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:

Distance Building Line to Boundary

Nil to 3.5m

Greater than 3.5m to 6.5m

Greater than 6.5m

Width at Boundary

Width of car parking area or garage opening

4.0m

3.0m

Width at Kerb

Width of car parking or garage opening plus 0.5m
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4.5m

3.5m

Access Driveway width can be varied subject to a merit based consideration.

Access Driveway Profile and Gradient

Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles.

Access Driveway Construction and Finishes

All Access Driveways shall be constructed with an impervious pavement and gutter crossing construction.

Gutter crossings are to be in plain concrete.

<p><i>Access Driveways are to be in plain concrete. Cosmetic Access Driveways on a public road reserve are not permitted.</i></p> <p><i>Access Driveways are to match with the adjacent constructed footpaths or alternatively adjacent constructed footpaths are to be adjusted to provide a continuous surface with no trip points with a maximum 1:14 (V:H) transition.</i></p> <p><i>The Access Driveway is to be structurally adequate for its intended use.</i></p> <p><i>Suspended driveways must not use the existing road structure for support.</i></p> <p><i>Ancillary Structures within the Road Reserve</i></p> <p><i>Ancillary structures within the Road Reserve will be supported for the purposes of structurally supporting the access driveway only. Ancillary structures include retaining walls.</i></p> <p><i>Encroachment into the road reserve is to be minimised.</i></p> <p><i>Where retaining walls and structures are visible from a public place, preference is given to the use of textured finishes of dark earthy tones or sandstone-like finishes.</i></p> <p><i>All structural elements within the Road Reserve must be certified by a Structural Engineer.</i></p> <p><i>In addition, where the land is identified on the Landslip Hazard Map, the design of all structural elements must satisfy the Landslip Hazard Controls.</i></p> <p><i>Access Driveway - Stormwater Drainage</i></p> <p><i>All Access Driveways on the low side of the</i></p>		
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<p><i>road are to be designed and constructed such that stormwater drainage is directed away from the Access Driveway.</i></p> <p><i>Access Driveway and Public Utilities Costs</i></p> <p><i>The cost for Access Driveways construction and maintenance and adjustment of any utility service is the responsibility of the Applicant.</i></p>		
<p>B6.2 Internal Driveways</p> <p><i>Controls</i></p> <p><i>General</i></p> <p><i>An Internal Driveway must be provided for in:</i></p> <ul style="list-style-type: none"> <i>any new development;</i> <i>development where additional car parking spaces and/or garages are required by Council's plans or policies;</i> <i>any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m² ; and</i> <i>development where additional car parking spaces and/or garages are proposed.</i> <p><i>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.</i></p> <p><i>Internal Driveway</i></p> <p><u><i>Internal Driveway Profiles</i></u></p> <p><i>Internal Driveways are to be designed and constructed to provide safe access and shall have a maximum gradient of 1:5 (V:H). Recommended maximum gradient of an Internal Driveway for a distance of 2m on the approach to a garage, parking area or carport is 1:20 (V:H). There must be a</i></p>	<p>The development will retain the existing shared driveway into the site. The shared driveway services a number of surrounding sites and access is provided from Wandeen Road. Refer to survey plan provided for further details.</p>	<p>Yes</p>

minimum 2 metre long transition between the driveway and the garage/parking area/carport in accordance with the standards.

For Internal Driveways on steeply sloping or difficult sites, gradients may be increased up to 1:4 (V:H) over a maximum 20 metre length.

Provision is to be made for vehicles to enter and leave the site in a forward direction, where:

- *the internal driveway grade exceeds 1:4 (V:H);*
- *the land abuts a roadway subject to high pedestrian use (e.g. School, Commercial Centre);*
- *driveways are more than 30m in length; and*
- *the driveway enters onto a classified road.*

Internal Driveway Stormwater Drainage

Internal Driveway grades, cross falls and grated drains are to be designed to reduce discharge into the public drainage system and to maximise stormwater discharge into adjacent landscape areas by the use of grass swales and soakage pits.

Internal Driveway Construction/Finishes

Internal Driveways shall have a stable surface for all weather construction. Internal Driveways where visible from a public road or public place are to be constructed of materials that blend with the environment and of dark earthy tones or natural materials.

Internal Driveway Design for all other uses than dual occupancies, dwelling house, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor

accommodation.

The design of all Internal Driveways and ramps shall be in accordance with the current edition of the following Australian Standards:

- *Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Off-Street Car Parking.*
- *Australian Standard AS/NZS 2890.2-2002: Parking Facilities - Off-Street Commercial Vehicle Facilities except as qualified in this control.*

Driveway width for dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation.

The Internal Driveway shall be contained within the driveway corridor. The minimum width of the driveway corridor (i.e. impervious pavements together with grassed shoulder area) shall be as follows:

- *Single Dwelling: 3.0 metres minimum.*
- *Dual Occupancy: 3.0 metres minimum.*
- *Combined driveway for more than 2 dwellings: 3.0 metres minimum except where the driveway length exceeds 40 metres, a passing bay to an overall minimum width of 5.0 metres for a length of 10 metres with suitable transitions to the adjacent narrow driveway.*

Internal Driveway and Driveway Corridor Width for all other development than dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation

Internal Driveways shall be designed and constructed to the minimum practical pavement width needed to facilitate access

<p>and turning movements.</p> <p><i>Internal Driveways shall be designed and constructed to minimise the area of impervious pavement within the land. Track style driveways are encouraged where practical.</i></p> <p><i>Turning movements are to be in accordance with the turning paths for a B85 vehicle (Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking).</i></p>														
<p>B6.3 Off-Street Vehicle Parking Requirements</p> <p>Controls</p> <p><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:</i></p> <table><tr><td colspan="2">Number of bedrooms per dwelling but not a secondary dwelling</td></tr><tr><td>1 bedroom</td><td></td></tr><tr><td>2 bedrooms or more</td><td></td></tr></table> <table><tr><td colspan="2">Parking requirements per dwelling</td></tr><tr><td>1 space</td><td></td></tr><tr><td>2 spaces</td><td></td></tr></table> <p><u>On-Site Car Parking Facilities</u></p> <p><i>The design of all parking areas shall be in accordance with the current edition of the following Australian Standards:</i></p> <ul style="list-style-type: none">• <i>Australian Standard AS/NZS 2890.-12004: Parking Facilities Part 1: Off Street Car Parking;</i>• <i>Australian Standard AS/NZS 2890.2-2002: Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities;</i>• <i>Australian Standard AS/NZS 2890.3-1993: Parking Facilities Part 3: Bicycle Parking Facilities; and</i>• <i>Australian Standard AS/NZS 2890.6-2009: Parking Facilities – Part 6: Off-</i>	Number of bedrooms per dwelling but not a secondary dwelling		1 bedroom		2 bedrooms or more		Parking requirements per dwelling		1 space		2 spaces		<p>The existing development includes parking for two (2) cars within the existing carport structure. The development includes a new continuous roof over the existing carport to provide a uniform design to the dwelling.</p> <p>The proposed alterations and additions do not result in an increase in the required number of car parking spaces for the development.</p>	<p>Yes</p>
Number of bedrooms per dwelling but not a secondary dwelling														
1 bedroom														
2 bedrooms or more														
Parking requirements per dwelling														
1 space														
2 spaces														

<i>Street Parking for People with Disabilities except as qualified in this control.</i>		
B8 Site Works Management		
B8.1 Construction and Demolition - Excavation and Landfill Controls <i>Excavation and landfill on any site that includes the following:</i> <ul style="list-style-type: none"> • <i>Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation;</i> • <i>Any excavation greater than 1.5 metres deep below the existing surface;</i> • <i>Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property;</i> • <i>Any landfill greater than 1.0 metres in height; and/or</i> • <i>Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils,</i> <i>must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.</i>	Complies – the proposal is supported by a Geotechnical Investigation Assessment Report as per the requirements of Northern Beaches Council.	Yes
B8.3 Construction and Demolition - Waste Minimisation Controls <i>Waste materials generated through demolition, excavation and construction</i>	The proposal will utilise and minimise waste generation through the reuse of relevant demolition materials such as sandstone and	Yes

<i>works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</i>	soil. Refer to Waste Management Plan for further details.	
B8.4 Construction and Demolition - Site Fencing and Security <i>Controls</i> <i>All sites are to be protected by site fencing for the duration of the works.</i>	Noted – the site will be fenced during construction.	Yes
B8.5 Construction and Demolition - Works in the Public Domain <i>Controls</i> <i>All works undertaken within the public road reserve must be protected in a manner to ensure pedestrian and vehicular safety at all times.</i> <i>All works undertaken on site or in the public road reserve must make provision for pedestrian and traffic flow and not adverse nuisance.</i> <i>All works undertaken on a site or in the public road reserve must make good any damage or disruption to the public infrastructure.</i>	The proposal will require approval for any works within the public domain through applications to Council including bond lodgement forms. Further review at Construction Certificate stage.	Yes
B8.6 Construction and Demolition - Traffic Management Plan <i>Controls</i> <i>For all development where either excavated materials to be transported from the site or the importation of fill material to the site is 100m³ or greater, a Construction Traffic Management Plan indicating truck movements, and truck routes is to be provided and approved by Council prior to the commencement of works.</i> <i>All transport works must not cause adverse disruption or nuisance to adjoining residences, businesses or the street system.</i>	The proposal subject to required excavation can comply with the relevant provisions of B8.6. Further analysis and information can be provided at Construction Certificate stage.	Yes

Section C Development Type Controls		
Control	Proposed	Compliance
C1 Design Criteria for Residential Development		
<p>C1.1 Landscaping Controls</p> <p><i>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.</i></p> <p><i>In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.</i></p> <p><i>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.</i></p> <p><i>Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted.</i></p> <p><i>The following soil depths are required in order to be counted as landscaping:</i></p> <ul style="list-style-type: none"> • 300mm for lawn • 600mm for shrubs • 1metre for trees 	<p>Complies – the development will retain the existing landscaping onsite. The development will retain the dedicated landscaped area at the front of the property and will provide additional private open space areas at the rear of the property through the proposed pool, deck and balcony.</p> <p>Due to the topography of the land, the landscaped area at the rear of the site is essentially unusable in its current form. The proposed development will enhance the amenity for residents of the dwelling without having an adverse impact on natural vegetation or surrounding properties. The mature trees at the rear of the site will be retained.</p>	Yes

<p><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:</i></p> <ul style="list-style-type: none"> • <i>A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments,</i> • <i>60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and</i> • <i>50% for all other forms of residential development.</i> <p><i>Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.</i></p> <p><i>In bushfire prone areas, species shall be appropriate to the bushfire hazard.</i></p> <p><i>Landscaping shall not unreasonably obstruct driver and pedestrian visibility.</i></p> <p><i>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.</i></p> <p><i>Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.</i></p> <p><i>Noxious and undesirable plants must be removed from the site</i></p>		
<p>C1.2 Safety and Security Controls <i>There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the</i></p>	<p>The proposal has been designed to comply with the four principles of CPTED.</p>	<p>Yes</p>

<p><i>opportunity for crime they include the following:</i></p> <p><u><i>1. Surveillance</i></u> <i>Building design should allow visitors who approach the front door to be seen without the need to open the door.</i> <i>Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.</i></p> <p><i>Development design and design of the public domain (including landscaping) is to minimise opportunities for concealment and avoid blind corners.</i></p> <p><i>Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS 4282-1997: Control of the obtrusive effects of outdoor lighting.</i></p> <p><i>Lighting is to be designed to minimise electricity consumption, and to minimise annoyance to neighbours.</i></p> <p><i>Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.</i></p> <p><i>Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.</i></p> <p><u><i>2. Access Control</i></u> <i>Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.</i></p>	<p>The proposed alterations and additions retain one direct access point and driveway with no curves or hiding places. This allows for view points from the dwelling to overlook the shared driveway and entrance to the property which maximises casual surveillance to the site.</p>	
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<p><i>Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.</i></p> <p><i>Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.</i></p> <p><i>The street number of the property is to be clearly identifiable.</i></p> <p><i>Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions.</i></p> <p><u>3. Territorial reinforcement</u> <i>Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.</i></p> <p><i>Where a retail/commercial use and residential dwellings are provided in the same development, separate entries for the different uses are to be provided.</i> <i>Blank walls along all public places (streets, open space etc) shall be minimised.</i></p> <p><u>4. Space management</u> <i>Popular public space is often attractive, well maintained and a well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.</i></p> <p><i>Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.</i></p>	<p>north-eastern boundary to the entrance of the house.</p> <p>As above, the accessway from the north-eastern boundary is well-defined and strategically located to separate the driveway from the main entrance to the dwelling.</p> <p>The project architects have provided a well-designed and thought out project which uses space management to increase landscaping, site cleanliness and activity coordination through well-defined aspects of the project, such as the pedestrian access points and driveway.</p>	
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<p><i>A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and approximate mix of Crime Prevention through Environmental Design (CPTED) strategies.</i></p>		
<p>C1.3 View Sharing <i>Controls</i> <i>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</i></p> <p><i>The proposal must demonstrate that view sharing is achieved though the application of the Land and Environment Court's planning principles for view sharing.</i></p> <p><i>Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.</i></p> <p><i>Views are not to be obtained at the expense of native vegetation.</i></p>	<p>The proposal has been designed essentially within the existing building footprint for the additional floor space of the dwelling and complies with the maximum building height. Due to the mature vegetation on the site, the site and surrounding sites do not enjoy significant views that need to be considered as part of this development.</p>	<p>Yes</p>
<p>C1.4 Solar Access <i>Controls</i> <i>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.</i></p> <p><i>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</i></p>	<p>The proposal has been strategically designed into the natural topography of the site, which reduces, height, bulk and scale of the proposal. This helps to alleviate any potential solar impacts with the southern neighbour retaining adequate sunlight.</p> <p>The proposed development will not result in a decrease in solar access to the proposed dwelling.</p>	<p>Yes</p>

<p><i>least 50% of the glazed area of those windows).</i></p> <p><i>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</i></p> <p><i>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</i></p> <p><i>The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.</i></p>	<p>The proposed alterations and additions will result in the retention of adequate sunlight to neighbouring properties. The proposal is considered to be acceptable given the substantial mature trees surrounding the dwellings and the existing overshadowing.</p>	
<p>C1.5 Visual Privacy Controls</p> <p><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).</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>Direct views of private open space or any habitable room window within 9m can be restricted (see diagram below) by:</i></p> <ul style="list-style-type: none"> <i>• vegetation/landscaping</i> <i>• a window sill height 1.7 metres above floor level, or</i> <i>• offset windows</i> 	<p>The proposal has been designed to maximise privacy to and from the subject site and main private open space areas. The development will retain some of the existing side boundary setbacks with to neighbouring properties and proposes the private open space areas of the pool, deck and balcony at the rear of the dwelling. The dwelling is designed at a unique angle that further reduces any potential privacy or overlooking issues to the site or to neighbouring properties.</p> <p>Additionally, the site and adjoining sites have a number of mature trees on their properties that further reduces any potential privacy or overlooking issues.</p>	<p>Yes</p>

<ul style="list-style-type: none"> • <i>fixed translucent glazing in any part below 1.7 metres above floor level, or</i> • <i>solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:</i> <ul style="list-style-type: none"> • <i>permanent and fixed;</i> • <i>made of durable materials; and</i> • <i>designed and painted or coloured to blend in with the dwelling.</i> 		
<p>C1.6 Acoustic Privacy <i>Controls</i> <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.</i></p> <p><i>Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the Building Code of Australia).</i></p> <p><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.</i></p> <p><i>Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.</i></p>	<p>The subject development will not impact the acoustic amenity of the occupants nor will it impact the amenity of adjoining neighbours.</p> <p>Any noise generating plant requirements such as pool motors and air-conditioning units will be designed to not produce noise levels above 5dBA and will be strategically placed and screened.</p>	<p>Yes</p>
<p>C1.7 Private Open Space <i>Controls</i> <i>Private open space shall be provided as follows:-</i></p> <p><i><u>a) Dwelling houses, attached dwellings,</u></i></p>	<p>The proposal includes two areas for private open space located off the lower ground bedroom, and upper ground floor living area. The lower ground floor proposes an outdoor area with a fenced swimming pool</p>	<p>Yes</p>

<p><u><i>semi-detached dwellings, and dual occupancies:-</i></u></p> <p><i>Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.</i></p> <p><i>Within the private open space area, a minimum principal area of 16m² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</i></p> <p><i>Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.</i></p> <p><i>Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).</i></p> <p><i>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</i></p> <p><i>Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private.</i></p> <p><i>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</i></p>	<p>and the upper ground floor proposes a balcony located directly off the existing living and dining areas.</p> <p>The topography of the land is such that the provision of the pool area and balcony will provide enhanced usable private open space for residents that will not adversely impact neighbouring properties.</p>	
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<p><i>adjoining residential properties.</i></p> <p><i>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.</i></p> <p><i>An accessible and usable area for composting facilities within the ground level private open space is required.</i></p>		
<p>C1.9 Adaptable Housing and Accessibility <i>Accessibility for all development</i></p> <p><i>Development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site from the public domain.</i></p> <p><i>Development within areas subject to flooding must provide for access on land within private ownership. In this regard ramps must not encroach into the public domain.</i></p>	<p>The proposal does not include a lift. The proposal has been designed that the ground floor provides bedrooms, bathrooms, the primary living areas of the premises, and private open space that is accessible.</p>	Yes
<p>C1.12 Waste and Recycling Facilities <i>Controls</i></p> <p><i>All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan</i></p>	<p>The application includes a Waste Management Plan as per Northern Beaches Councils requirements.</p>	Yes
<p>C1.13 Pollution Control <i>Controls</i></p> <p><i>Residential development must be designed, constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.</i></p> <p><i>Developments must comply in all respects with the Protection of the Environment</i></p>	<p>The proposal has been designed to minimise pollution and will be constructed and maintained in a proper and efficient manner to prevent air, water, noise and land pollution.</p>	Yes



<u>Operations Act 1997</u> , and other relevant legislation.		
C1.17 Swimming Pool Safety Controls <i>Swimming pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the <u>Swimming Pools Act 1992 and regulations</u>. The fencing and warning notices (resuscitation chart) shall be permanent structures.</i>	The swimming pool has been designed to comply with relevant swimming pool legislation and will be registered as required before occupation.	Yes
C1.23 Eaves 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.</i>	Complies – the development provides eaves on all elevations of a minimum of 450mm in width.	Yes
C1.24 Public Road Reserve - Landscaping and Infrastructure Controls <u>Landscaping General - All Development</u> <i>Landscaping within the public road reserve is to include street trees planted at 6m centres. Street trees are to be planted to encourage the free passage of pedestrians. Street trees should not interfere with existing powerlines. All existing trees over 3m in height and native vegetation within the road reserve areas are to be retained where practical. The existing trees are to be protected during the construction of works through temporary perimeter fencing that is 1.8m high. New tree plantings are to be a minimum 35</i>	The proposal will retain any existing landscaping within the public road reserve.	Yes

<p><i>litre size with 1m x1m hole and backfilled with suitable planting medium.</i></p> <p><i>Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with Hessian ties.</i></p> <p><i>To ensure a consistent streetscape the new tree plantings are to be the same as the existing adjacent street trees.</i></p> <p><i>Where appropriate, Council encourages the use of local endemic native species according to the list of local native species in Pittwater.</i></p> <p><i>Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.</i></p> <p><i>All work is subject to a Section 139 approval from Council.</i></p> <p><u><i>Dwelling Houses, Secondary Dwellings and Dual Occupancy</i></u></p> <p><i>The location of new landscaping (street trees) is not to hinder the future construction of a 1.5m wide footpath in location to be nominated by Council and is subject to a Section 139 approval from Council.</i></p>		
<p>C1.25 Plant, Equipment Boxes and Lift Over-Run Controls</p> <p><i>Where provided, plant and equipment boxes, air conditioning units and lift over-runs are to be integrated internally into the design fabric of the built form of the building. Council does not encourage air conditioning units on the roof of residential flat buildings and multi dwelling housing. The location of air conditioning units shall be indicated on development assessment plans for approval at the time of Development Application lodgement.</i></p>	<p>The proposal will not have any plant, equipment or lift over-runs on the roof.</p>	<p>Yes</p>


<p><i>Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.</i></p>		
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Section D Locality Specific Development Controls		
Control	Proposed	Compliance
D3 Bilgola Locality		
<p>D3.1 Character as viewed from a public place <i>Controls</i> <i>Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.</i></p> <p><i>Walls without articulation shall not have a length greater than 8 metres to any street frontage.</i></p> <p><i>Any building facade to a public place must incorporate at least two of the following design features:</i></p> <ul style="list-style-type: none"> <i>entry feature or portico;</i> <i>awnings or other features over windows;</i> <i>verandahs, balconies or window box treatment to any first floor element;</i> <i>recessing or projecting architectural elements;</i> <i>open, deep verandahs; or</i> 	<p>The main alterations and additions do not front the street. The development is setback substantially from the street with a shared driveway from Wandeen Road used to access the site.</p> <p>The dwelling proposes a design that is sufficiently modulated and articulated to create a unique and interesting design that is in character with dwellings in the immediate area. The development does not include any blank or unarticulated elevations without windows.</p> <p>The development includes portico and distinct entry into the property as well as a balcony at the rear of the property.</p> <p>The development has considered the topography of the land and presents a design that steps down with the site to minimise the bulk and scale of the building.</p>	Yes

<ul style="list-style-type: none"> • <i>verandahs, pergolas or similar features above garage doors.</i> <p><i>The bulk and scale of buildings must be minimised.</i></p> <p><i>Garages, carports and other parking structures including hardstand areas should not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.</i></p> <p><i>Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.</i></p> <p><i>Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.</i></p> <p><i>General service facilities must be located underground.</i></p> <p><i>Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.</i></p>	<p>The existing carport facades the front of the property and is integrated into the building design and does not dominate the front façade of the building. The carport is located behind the front building line.</p> <p>The proposed development will retain the existing landscaping at the front of the property. Additionally, the mature trees at the rear of the property will be retained.</p> <p>All telecommunication equipment will be screened from view where possible.</p> <p>All existing service facilities will be used and any additional electrical cabling will be concealed.</p>	
<p>D3.2 Scenic protection - General Controls</p> <p><i>Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.</i></p>	<p>The development does not include the removal of any significant vegetation from the site and will retain the existing landscaping at the front of the property and the mature trees at the rear of the site.</p> <p>The development is not visible from a public place and will have no adverse impact on the natural environment. The development</p>	<p>Yes</p>

	responds to the topography of the land and reduces the bulk and scale of the building. The building presents as one storey from the front of the site and the shared driveway.	
<p>D3.3 Building colours and materials <i>Controls</i> <i>External colours and materials shall be dark and earthy tones as shown below:</i></p>  <p><i>White, light coloured, red or orange roofs and walls are not permitted:</i></p>  <p><i>Limited use of corporate colours may be permitted within Business zoned land.</i></p> <p><i>Finishes are to be of a low reflectivity.</i></p> <p><i>Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.</i></p>	Refer to architectural plans prepared by CHROFI for details on building materials.	Yes
<p>D3.6 Front building line <i>Controls</i> <i>The minimum front building line shall be in accordance with the following table:</i> <i>All other land zoned R2 Low Density Residential or E4 Environmental Living - 6.5 or established building line, whichever is the greater.</i></p> <p><i>Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:</i></p>	The site does not propose a 6.5m front setback for the entirety of the building. The site is an irregular shaped allotment, with an inconsistent front boundary. The proposal does not change the existing setbacks with the proposed new roof to the car port complying with the 6.5m setback. Additionally, the site has topographical constraints that require the building to be closer to the front boundary of	Yes

<ul style="list-style-type: none"> • <i>considering established building lines;</i> • <i>degree of cut and fill;</i> • <i>retention of trees and vegetation;</i> • <i>where it is difficult to achieve acceptable levels for building;</i> • <i>for narrow or irregular shaped blocks;</i> • <i>where the topographic features of the site need to be preserved;</i> • <i>where the depth of a property is less than 20 metres.</i> 	<p>the property to limit cut and fill of the land.</p> <p>The development will retain the existing front boundary setback of the building, noting that the development does not face the street and provides sufficient landscaping within the front setback. The existing setback is consistent with the setbacks of neighbouring properties and will not have an adverse impact on neighboring properties or the streetscape.</p>	
<p>D3.7 Side and rear building line <i>Controls</i> 2.5 at least to one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)</p>	<p>Side Setbacks <u>Eastern Setback</u> Upper ground floor: 0.55m (existing) – 1m Lower ground floor: 5.5m <u>Western Setback</u> Upper ground floor: 5.4m Lower ground floor: 2.5m (to sound panel and BBQ)</p> <p>Rear Setback 3.3m to pool and 8.8m to new additions</p> <p>The development proposes a minor non-compliance to the prescribed side boundary setbacks and rear setbacks. The non-compliances are solely due to constraints of the irregular shape of the allotment and the topography of the land. Every effort has been made to ensure large setbacks where possible. The development retains the existing building line on the eastern setback and proposes minor increases in the western setback which comply with the 2.5m side setback. The proposed development will have no adverse impact on neighboring properties in</p>	<p>Yes, upon merit assessment</p>

	terms of visual privacy or acoustic impacts and the development will not impact the amenity of neighbouring buildings.	
<p>D3.9 Building envelope Controls <i>Buildings are to be sited within the following envelope:</i></p>  <p>STREET FRONTAGE</p> <p>Variations <i>Where the building footprint is situated on a slope over 16.7 degrees (ie; 30%), variation to this control will be considered on a merits basis.</i> <i>Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.</i></p>	<p>The proposal has a minor non-compliance to the building envelope control. The variation is considered to be acceptable due to the topography of the land, hence a variation is allowed and meets the objectives of the control.</p> <p>The development has been strategically designed to respond to the topography of the land and step down with the site. The building presents as a one storey building to the front of the property. The building complies with setbacks where possible considering the irregular shape of the allotment.</p> <p>The development is consistent with the design of dwellings in the immediate area and non-compliance with this control will not result in any adverse impacts on neighbouring properties. The proposed building envelopes will not impact the level of privacy, amenity and solar access to neighbouring properties.</p>	Yes – upon merit assessment
<p>D3.11 Landscaped Area - Environmentally Sensitive Land Controls</p> <p><i>The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.</i></p> <p><i>The use of porous materials and finishes is encouraged where appropriate.</i></p>	<p>The development does not change the existing landscaping approved on the site.</p> <p>The development proposes an outdoor area and pool that can be considered as part of the landscaped area of the site as it will be used solely as recreation area for residents of the dwelling.</p> <p>Additionally, the development proposes to retain the existing</p>	Yes

<p><i>Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.</i></p> <p><i>Variations</i> <i>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</i></p> <ol style="list-style-type: none"> <i>1. impervious areas less than 1 metre in width (e.g. pathways and the like);</i> <i>2. for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).</i> 	<p>dedicated landscaped area at the front of the property and the mature trees at the rear of the site to mitigate any potential bulk and scale impacts from the development.</p> <p>The development provides a reasonable level of amenity and is consistent with developments in the immediate area and the desired future character of Clareville. The existing vegetation and biodiversity on the site will be retained and sufficient soft landscaping is provided for drainage purposes.</p> <p>Refer also to Stone Set – Council Permeability Guidelines. The existing driveway is constructed with Stone Set which enables it to be classified as soft landscaping.</p> <p>The site coverage proposed for the site is 275sqm. With the inclusion of decking and applicable allowances for the 6% variation, it is considered that the site as existing and proposed is well in excess of the 60% requirement.</p>	
<p>D3.12 Fences - General Controls <u>a. Front fences and side fences (within the front building setback)</u></p> <p><i>Front fences and side fences (within the front building setback) shall:</i></p> <p><i>not exceed a maximum height of 1 metre above existing ground level, be compatible with the streetscape character, and</i> <i>not obstruct views available from the road.</i></p> <p><i>Fences are to be constructed of open, see-through, dark-coloured materials.</i></p>	<p>The development does not propose any alterations to the existing front and side boundary fencing.</p> <p>The proposed pool fencing will be compliant with D3.11 and all relevant pool safety requirements and Australian Standards.</p>	<p>Yes</p>

<p><i>Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</i></p> <p><i>Original stone fences or stone fence posts shall be conserved.</i></p> <p><i>Front fences to a maximum height of 1.8 metres may be erected on the boundary for those properties that have frontage to Bilgola Avenue, or Allen Avenue. These fences should be constructed of sandstone or like materials to conform to adjoining fences, and should provide extensive landscaping incorporated into the fence or in front of the fence.</i></p> <p><u><i>b. Rear fences and side fences (to the front building line)</i></u></p> <p><i>Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.</i></p> <p><i>a. Front fences and side fences (within the front building setback).</i></p>		
<p>D3.14 Construction, Retaining walls, terracing and undercroft areas</p> <p>Controls</p> <p><i>Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.</i></p> <p><i>Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.</i></p> <p><i>In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.</i></p>	<p>The proposed development will be constructed as required by a structural engineer and geotechnical consultant.</p>	<p>Yes</p>

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Where retaining walls (for vehicular access) have been erected on the eastern side of Barrenjoey Road, a consistent treatment needs to be adopted (e.g., cement blocks or sandstone walling), to help lessen the impact of these walls. The area between the wall and the road shall be suitably landscaped to help screen it from view without limiting site lines to the street.

Where guardrails have been erected around carparking or roof top structures on the western side of Barrenjoey Road, these should be painted green or brown, with reflector strips used to delineate the edges at night.

5. Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning & Assessment Act 1979

The following matters are to be taken into consideration when assessing an application pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(a) The provisions of:

(i) The provision of any Environmental Planning Instrument

Comment: The proposal is permissible and consistent with the intent of the Pittwater Local Environmental Plan and Development Control Plan as they are reasonably applied to the proposed works given the constraints imposed by the site's location, topography and environmental constraints.

(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

Comment: Not applicable.

(iii) Any development control plan

Comment: The proposal has been reviewed and assessed under Pittwater Development Control Plan 21.

(iia) 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

Comment: Not applicable.

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

Comment: Not applicable.

(v) (repealed)

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,

Context and Setting:

i. What is the relationship to the region and local context in terms of:

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

Comment: The proposed alterations and additions to the existing dwelling and associated workings including a swimming pool are consistent with the design of dwelling houses in the immediate area. The resultant dwelling house will be compatible with neighbouring developments with no adverse residential amenity impacts in terms of views, privacy and overshadowing.

ii. What are the potential impacts on adjacent properties in terms of:

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

Comment: These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*

Comment: The existing site provides a two-car carport onsite. The proposal includes a new roof over the existing carport. The existing vehicular entrance into the site will remain and vehicles will enter and leave the site in a forward direction.

Public Domain

Comment: The proposed development will have no adverse impact on the public domain.

Utilities

Comment: Existing utility services will connect to service the dwelling.

Flora and Fauna

Comment: The proposal does not have an adverse impact to flora or fauna. The proposal will retain existing landscaping on the site.

Waste Collection

Comment: Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

Comment: The site is located within a Geotechnical Risk Area. The proposal is supported by a Geotechnical Assessment.

Economic Impact in the locality

Comment: The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

i) Is the development design sensitive to environmental considerations and site attributes including:

- *size, shape and design of allotments*
- *The proportion of site covered by buildings*
- *the position of buildings*
- *the size (bulk, height, mass), form, appearance and design of buildings*
- *the amount, location, design, use and management of private and communal open space*
- *Landscaping*

Comment: These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the general principles, desired future character and built form controls.

ii) How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation*
- *building fire risk – prevention and suppression*
- *building materials and finishes*
- *a common wall structure and design*
- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

Comment: The proposed development can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

i) What would be the impacts of construction activities in terms of:

- *The environmental planning issues listed above*
- *Site safety*

Comment: The proposal will employ normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*

- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

Comment: The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause unmanageable levels of transport demand with the existing use of a dwelling house to be retained with alterations and additions to the existing structure.

(d) Any submissions received in accordance with this act or regulations

Comment: No submissions are available at this time.

(e) The public interest

Comment: The proposed works are permissible and consistent with the intent of PLEP2014 and PDGP21 controls as they are reasonably applied to the proposed demolition works and alterations and additions to the existing dwelling house, swimming pool and associated works. Development would not be contrary to the public interest.

In our opinion, the development satisfies the planning regime applicable to development on this particular site having regards to the considerations arising from its context.

The proposal is acceptable when assessed against the heads of consideration pursuant to Section 4.15 of the *Environmental Planning and Assessment Act, 1979* (as amended), and is appropriate for the granting of consent and accordingly, is in the public interest.

6. Summary and Conclusion

The proposal for demolition works and alterations and additions to the existing dwelling house, swimming pool and associated works at 61B Wandeen Road, Clareville being Lot 19 in Deposited Plan 236667 is permissible and consistent with the intent of the built form controls as they are reasonably applied to the proposed works. It is considered that the proposal is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The merits of the application have been assessed in accordance with the provisions of the relevant requirements of PLEP 2014 and the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended). There is no evidence that the impacts of the development would warrant amendment to the subject proposal or justify refusal. Where a variation is proposed, adequate documentation has been provided to support the application.
- The nature of the development is appropriate having regard to the area of the site, its geographical location, topography, constraints and adjoining land uses.
- The proposal has been designed with a compliant building height, therefore no adverse impacts on the visual amenity of adjoining developments or to public views.

Accordingly, the proposal for demolition works and alterations and additions to the existing dwelling house, swimming pool and associated building works at 61B Wandeen Road, Clareville, being Lot 19 in Deposited Plan 236667, is acceptable from environmental, social, and planning perspectives and approval should therefore be granted by Northern Beaches Council.