

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED TWO (2) LOT SUBDIVISION

7 COOLEENA ROAD, ELANORA HEIGHTS

1.0 INTRODUCTION

1.1 Executive Summary

The proposal seeks the consent of Northern Beaches Council (“the Council”) for a two (2) lot subdivision of one lot into lots, at 7 Cooleena Street, Elanora Heights (“the site”).

DA2022/0448, refused by Northern Beaches Council on 6 September 2022, comprised subdivision of one lot into two lots and partial demolition of existing dwelling. The new application has duly considered deficiencies in the previous application and satisfactorily addressed the principal reasons for refusal.

The proposal comprises partial demolition, tree removal and subdivision. Demolition comprises the removal of the attached single garage to the existing house; tree removal comprises two trees located within the footprint of the proposed access to Proposed Lot 2 and within the zone of influence of the new dwelling footprint on Proposed Lot 2. The subdivision comprises Proposed Lot 1 - 554.0m² (front lot with existing principal and secondary dwelling, new double carport) and Proposed lot 2 (593.6m²). Access to Proposed Lot 2 is to be via a shared driveway (Right of Way) in favour of Proposed Lot 1 over Proposed Lot 2. A new double carport is to be constructed at the rear of Proposed Lot 1. Development on Proposed Lot 2 is to comprise (in concept) a two storey, 180m² (building area), single residence, with parking within a double garage and turning area with suspended floor level above. Private open space is provided for both allotments with stormwater drainage and landscape schemes for the two lots. A registered Deed of Easement is attached to this Statement confirming the necessary legal rights for the creation of a 1.2m wide drainage easement from the subject site to Lot H (west of the site).

The subject site is zoned C4 Environmental Living under Pittwater LEP 2014. The proposed demolition and subdivision of the land is permissible, with consent. The proposal achieves the zone objectives by providing for a new residential allotment, capable of containing a single, low-density residence that will not unduly impact on the environmental character of the site or surrounding properties.

It is noted that Northern Beaches Council, at its extraordinary Council meeting held on 17 June 2024 resolved to submit a Planning Proposal (PP) for the creation of a new, consolidated LEP to the Minister for Planning and Public Spaces for ‘gateway determination’ under Section 3.34 of the EP&A

Act 1979. As it is a legal requirement that the Minister formally consider the PP before it can be placed on public notification, and that is yet to be finalised and no public notification has occurred to date, the new LEP is therefore currently not deemed imminent or certain. The provisions of the PP are not given determining weight in this application.

The document has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act, 1979 (EP&A Act 1979)*, and Part 3, Clause 24 of the *Regulations*, and reviews the applicable environmental planning instruments and development control plans that apply to the subject property as well as the natural and built environmental impacts of the proposal with particular reference to the relevant heads of consideration listed under s4.15 of the *EP&A Act 1979*.

The assessment concludes that the application is acceptable, is within the interests of the general public and is worthy of Council's approval.

2.0 DESCRIPTION OF SITE & LOCALITY

The subject site is legally described as Lot G DP 408223, commonly known as No. 7 Cooleena Street, Elanora Heights. The site is located on the southern side of Cooleena Street, west of the intersection of Powderworks Road.

The subject site has a site area of 1,268.1m². The site slopes from Cooleena Street to the rear boundary, with a fall from RL 52.32m AHD to RL38.2m AHD. There is a crossfall from north-east to south-west. The northern boundary (Cooleena Road) is 20.88m long, rear boundary (southern) of 11.805m and 12.715m with side boundaries of 68.13m (east) and 56.585m (west).

Legal access is to be provided off Cooleena Road, via a single domestic crossover and driveway, located on the western side of the site.

Existing on the site is a non descript circa 1970's part one part two storey brick and tile residence. A single, attached garage is located on the western side of the residence. In the rear section of the lower level, an approved secondary dwelling (N0584/16, approved 9 March 2017) exists. The rear yard contains a retained outdoor area with two natural rock outcrops and natural area in the rear, lower section of the site. Generally, the rear of the site is unkempt due to its levels and disconnection from the main dwelling.

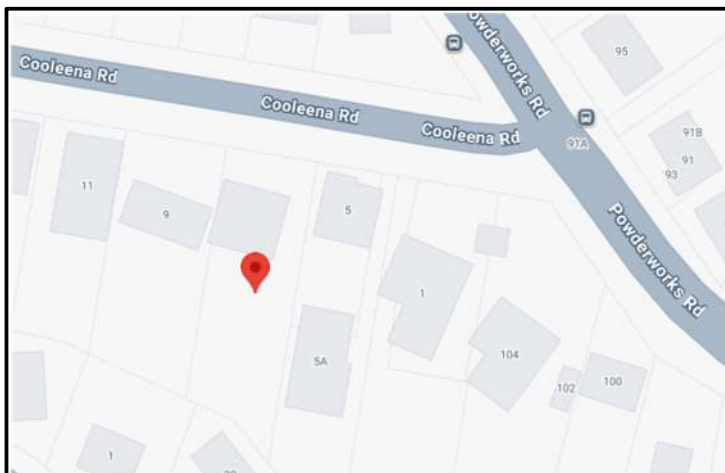


Figure 1: Location of subject site



Figure 2: Aerial of the subject site



Figure 3: View of subject site from Cooleena Road

3.0 DESCRIPTION OF PROPOSAL

General:

The proposal comprises demolition of the attached single garage on the western side of the existing dwelling and the subdivision of the land from one lot into two lots, with access via shared driveway and Right of Way (ROC) burdening Proposed Lot 2 in favour of Proposed Lot 1.

The application includes demolition, subdivision and concept plans of the building envelope and construction of access, turning area platform and drainage. The plans for development of the rear lot (Proposed Lot 2) are conceptual in nature, submitted to demonstrate that a generously sized single dwelling with turning area is readily capable of being constructed on the land in compliance with Council's planning controls. The proposal also includes for construction of a carport to the rear of Lot 1. The construction of the new dwelling on Proposed Lot 2 will be the subject of a separate application.

Demolition:

Remove attached single garage on eastern side of existing house.

Tree removal:

Remove T4 (within ROW driveway area) and T7 (within zone of influence of building envelope of new dwelling on Proposed Lot 2).

Subdivision:

One lot into two with access to Proposed Lot 2 via a shared access handle and ROW benefiting Proposed Lot 1.

Lot sizes:

Proposed Lot 1: 554.0m² (including ROW)

Proposed Lot 2: 593.6m² (excluding ROW area)

Crossover and Driveway:

Retain existing crossover off Cooleena Street

Construction of a new 3.0m – 3.3m wide driveway providing access to new double carport at the rear of the Proposed Lot 1 and to the turning area/platform on Proposed Lot 2.

Proposed Lot 2 Indicative Building:

Building area: 180m²

Indicative concept plans for a single dwelling comprising two storeys with a pier and beam footing (to minimise excavation), open area undercroft of building, parking on upper level, and two habitable levels areas with upper level including suspended floor area over vehicle turning area below.

Site works and landscaping:

Civil works including the construction of the driveway, retaining walls and stormwater drainage system.

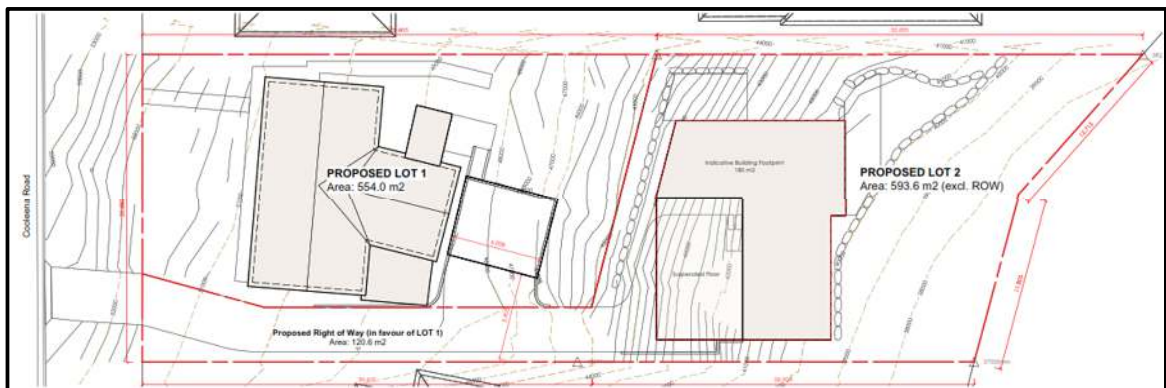


Figure 4: Proposed Subdivision Plan



Figure 5: Proposed demolition and tree removal plan

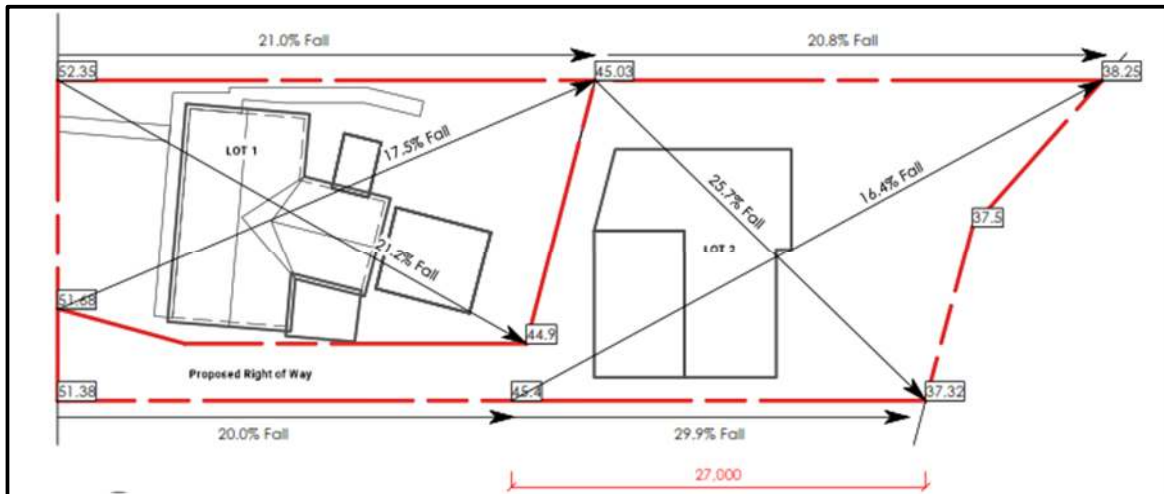


Figure 6: Site Gradient and dimensions

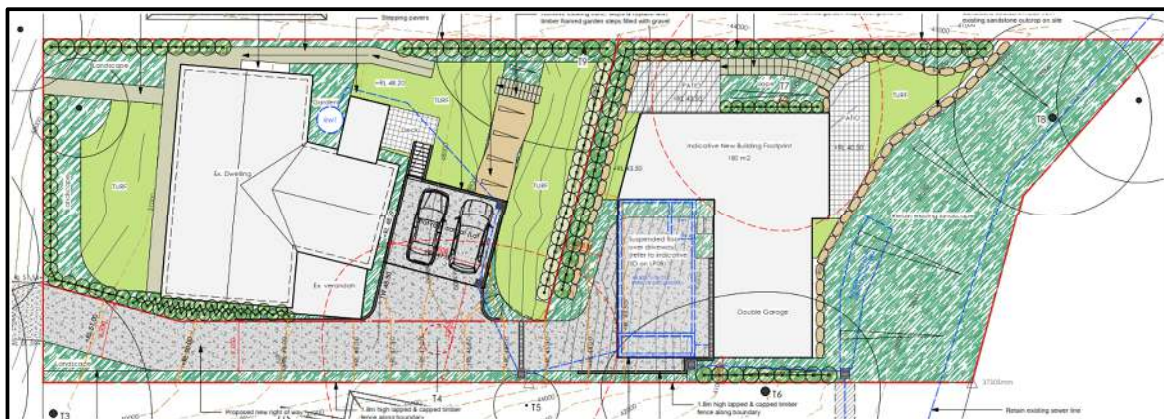


Figure 7: Extract of Proposed Landscape plan, incl suspended area over turning area of Proposed Lot 2



Figure 8: Extract of Area Plan showing POS areas, soft and hard landscape areas

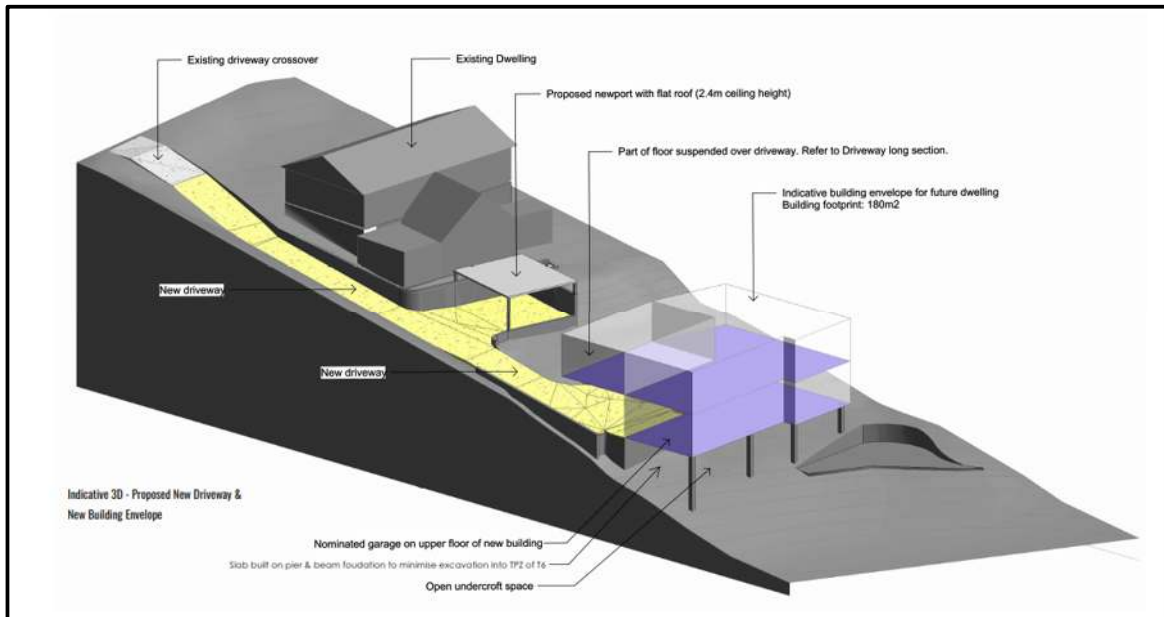


Figure 9: 3D view of subdivided land with concept building envelope and driveway to Proposed Lot 2

3.3 Supporting Documentation

The proposal is described in detail in the following plans and supporting documentation:

- DA Plan set, prepared by *Wy Design Studio Pty Ltd*, dated 25 August 2024.
- Survey Plan, prepared by *Structerre Surveying*, dated 7.10.15
- Arborist Report, prepared by *Advanced Treescape Consulting*, dated 21 August 2024
- Stormwater Plans, prepared by *Lodessa Engineering*, dated 22.8.24
- Geotechnical Report, prepared by *AW Geotechnical*, dated 11 October 2017.
- Rock Outcrop Assessment, prepared by *AW Geotechnical*, dated 13 April 2016.
- Site Waste Management Plan, prepared by *Council Approval Group*, dated 10 March 2022.
- Ecological Assessment (Flora & Fauna), prepared by *Kingfisher Urban Ecology*, dated May 2023
- Registered Deed of Easement (Appendix 5 of this Statement)

The level of detail provided satisfies the criteria contained within Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*.

4.1 The Provisions of any Environmental Planning Instrument

4.1.1 SEPP (Transport and Infrastructure) 2021

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether the electricity infrastructure exists).

- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment: DA 2022/0448 was referred to Ausgrid who raised no objections, subject to conditions. It is anticipated that the same response and conditions of consent would be issued for this application.

4.1.2 SEPP (Resilience and Hazards) 2021 - Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated.

Comment: *“Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is suitable for the residential land use.”* (Council Assessment Report, DA2022/0448).

The above commentary and conclusion is accepted as valid.

4.1.3 Pittwater Local Environmental Plan 2014 (PLEP)

The Pittwater LEP 2014 is the applicable local environmental planning instrument. The following identifies the relevant aims of the LEP and assessment of the proposal against those aims:

Clause 1.2 Aims

The particular aims of the Plan are as follows:

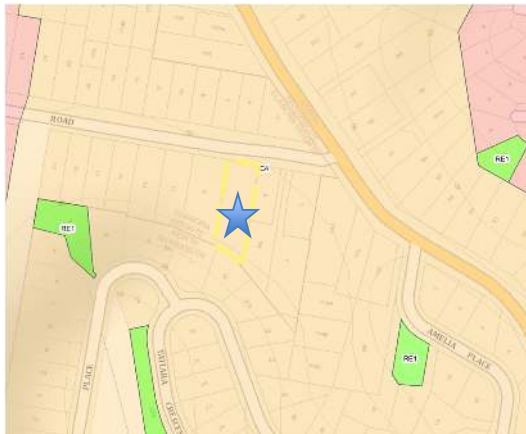
- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to promote development in Pittwater that is economically, environmentally and socially sustainable,*
- (b) to ensure development is consistent with the desired character of Pittwater’s localities,*
- (c) to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,*

- (d) to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future,
- (e) to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,
- (f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,
- (g) to protect and enhance Pittwater's natural environment and recreation areas,
- (h) to conserve Pittwater's European and Aboriginal heritage,
- (i) to minimise risks to the community in areas subject to environmental hazards including climate change,
- (j) to protect and promote the health and well-being of current and future residents of Pittwater.

The proposal is consistent with the aims of the LEP. The proposal will not alter the typology of residential development in the area, adding an additional residential sized allotment to the land supply.

Zoning and Permissibility

The site is zoned C4 Environmental Living (previously E4, as mapped below) under Pittwater LEP 2014.



 C4 - Environmental Living

Zone C4 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; Local distribution premises; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

The proposed demolition, new carport and subdivision of the subject site satisfies the C4 zone objectives as:

- ***To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.***

Comment: The application documentation provides for assessment of the biodiversity values of the site in the context of the Elanora Heights Desired Character and the geotechnical classification of the site. Together they demonstrate the site is suitable for the proposed development. The DA plans and reports are sufficient to determine that the new Proposed Lot 2 is capable of low-density development in the context of these ecological values. The proposal minimises impacts on vegetation, and hence respects the limited ecological values of the sites contribution to the local biodiversity. The works and any future building will have minimal impact on the scenic amenity of the area. The proposal satisfies this objective.

- ***To ensure that residential development does not have an adverse effect on those values.***

Comment: As stated above, it is considered that the proposed development maintains a low-impact on the biodiversity values and geotechnical aspects of the site. The site is capable and suitable for the proposed development. The proposal satisfies this objective.

- ***To provide for residential development of a low density and scale integrated with the landform and landscape.***

Comment: It is demonstrated in the DA package – plans and reports, together with this Statement, that the proposal is consistent with the requirements for low-density development on the subject site. The site is suitable and capable of the development proposed wherein the application includes sufficient information to demonstrate both suitability and capability (proposed Lot 2 at the rear).

The creation of an additional dwelling on an allotment satisfying Council's low density minimum lot size standards and ability to erect a dwelling that respects the landform and topography is entirely consistent with the established pattern of development within the Pittwater locality. The proposal satisfies this objective.

- ***To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.***

Comment: The subject land is mapped as "Biodiversity" on the PLEP 2014 Biodiversity Map as well as mapped Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridors under P21 DCP. In DA2022/0448 Council's Biodiversity Officer reviewed the application and raised no objection to approval, subject to recommended conditions. A flora and fauna study also confirms that the site is of low value in this regard. The proposal satisfies this objective.

The following development standards are applicable to the assessment of the proposed development:

Pittwater LEP 2014	Proposal – Car port and security gate
4.1 Minimum subdivision lot size Min: 550m² (excluding any access handle)	Proposed Lot 1: 554.0m ² Proposed Lot 2: 593.6m ² (excluding ROW area) Complies.
4.3 Height of buildings Subject site: 8.5m	Proposed Lot 1 (existing): complies. Proposed Lot 2 (as per building envelope concept plan): capable of complying (as per submitted concept plans) Complies.
4.4 Floor space ratio	Not applicable.
4.6 Exceptions to development standards	Noted.
5.10 Heritage conservation	The site is not a heritage listed site, is not in a HCA or in proximity to any heritage items.
7.2 Earthworks	Development generally follows existing slope of land except under new carport of Proposed Lot 1 (minor cut), backfilling of a retaining wall for Proposed Lot 2 and back filling behind the driveway and garage of Proposed Lot 2. Refer to 3D drawings in DA plan set. Earthworks for the development of Proposed Lot 2, will be subject to a separate application with any future DA for the construction of a dwelling on the new lot.

7.6 Biodiversity

(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.

Site is mapped on the Biodiversity map (BIO_013).

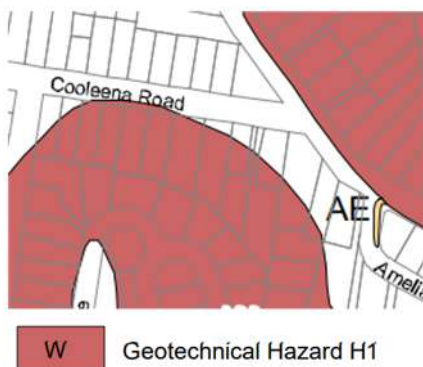
The rear of the site is grassed with no understory and contains only a few trees. The condition of the existing vegetation was assessed by a qualified arborist, the report is provided with this application for Council's consideration.

The site is not considered to present a high biodiversity value, the site is highly modified and consistent with a managed domestic garden. The condition of the site, the vegetation, its value and significance does not warrant further investigation.

Its current contribution and ability to support habitat elements or connectivity is limited and unlikely to be viable even without the proposed development.

One tree (T4) requires removal as to facilitate the shared driveway and access to Proposed Lot 2. A second tree (T7) is proposed to be removed as it is in the building zone of influence of the building envelope on Proposed Lot 2. The removal of both trees form part of this application.

The other trees identified within the Arborist Report will be retained and protected.

7.7 Geotechnical hazards

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

Site is mapped as "Geotechnical Hazard H1" on Pittwater Geo Hazard Map.

A Geotechnical Report and Rock Outcrop Assessment are submitted with the DA package.

The Geotech report concludes that the proposal building envelope is suitable for residential development and that all structural footings must be founded on the bedrock, which has an allowable bearing pressure of 500kPa at a 300mm socket.

The rock outcrop assessment concludes:

- The rock is seen on or near the proposed new boundary.

<p><i>(a) the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and</i></p> <p><i>(b) the consent authority is satisfied that—</i></p> <p><i>(i) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or</i></p> <p><i>(ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or</i></p> <p><i>(iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.</i></p>	<ul style="list-style-type: none"> • The rock that needs to be removed, can be “sawn and blocked” and this can occur with minimum vibrations, and there will be no shatter on the subject site or adjoining properties. • The rock should be removed down to about 100-125mm below the proposed driveway level to allow for the new driveway to be constructed over it. • The sawn vertical section on or near the boundary will stand unretained. <p>The report identifies no issues with removal of part of a rock outcrop to facilitate a future driveway.</p> <p>The Stormwater Plans and proposed easement show that an appropriate stormwater arrangement is possible for the subdivision.</p> <p>Overall, the Geotechnical Report confirms the viability and suitability of the site in relation to the proposed subdivision and future construction of a new dwelling on Proposed Lot 2.</p>
<p>7.10 Essential Services</p> <p><i>(a) the supply of water,</i></p> <p><i>(b) the supply of electricity,</i></p> <p><i>(c) the disposal and management of sewage,</i></p> <p><i>(d) stormwater drainage or on-site conservation,</i></p> <p><i>(e) suitable vehicular access.</i></p>	<p>Drainage and stormwater details with the DA package. Existing sewer main traverses the rear boundary of the site.</p> <p>Ausgrid – No previous objection.</p> <p>Access to site – amended with access to be via ROW and swept path diagrams submitted with DA plan set demonstrating turning area and parking for Proposed Lot 2.</p>

4.2 Any Development Control Plan

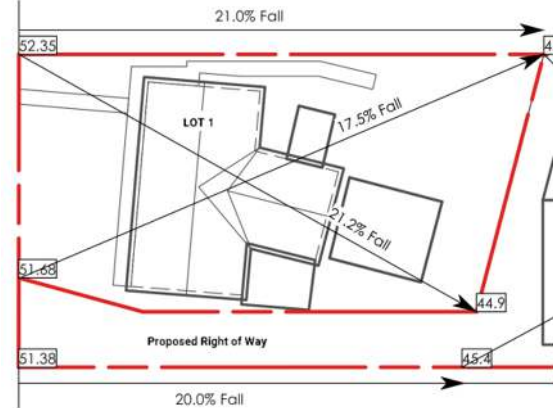
4.2.1 Pittwater 21 Development Control Plan (as at 18.1.21)

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

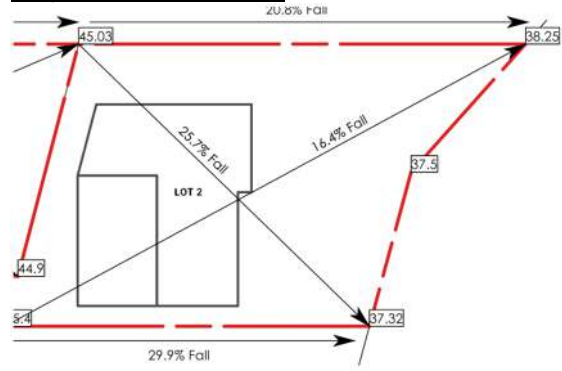
Pittwater 21 DCP Provisions	Proposal
SECTION A: SHAPING DEVELOPMENT IN PITTWATER	
A4 – Localities	
<p>A4.5 Elanora Heights Locality</p> <p>The Elanora Heights locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting..... A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land.</p>	<p>Desired Future Character of locality is satisfied as current proposal addresses each of the planning issues raised in the refusal of the 2022 DA.</p> <p>The plans and reports submitted with the DA package address how the current proposal responds to the site opportunities and constraints, demonstrating compliance and satisfaction of the LEP and DCP provisions.</p>
SECTION B: GENERAL CONTROLS	
B1- Heritage Controls	
	<p>The site is not listed as containing any heritage items, is not within a HCA and in proximity to any locally listed heritage items. No requirements.</p>
B2 - Density Controls	
<p>B2.2 Subdivision – Low Density Residential Areas</p> <p>Applies to C4 Environmental Living zone. Min lot depth = 27m min Area 1: Min lot width at building line = 16m</p> <p>Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not unreasonably impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.</p> <p>No slope >16.7 degrees (30%), measured between highest and lowest point on allotment.</p>	<p>Lot depth: Proposed Lot 1: 32m deep (measured from centre of front boundary) Proposed Lot 2: 26m (western boundary) to 33m (eastern boundary) – Average depth 28.9m Both lots comply with 27m min.</p> <p>Building line (Area 1): Proposed Lot 1: 20.08m at building line Proposed Lot 2: battle-axe allotment; therefore, it is not applicable. The site is 20m wideComplies.</p> <p>Based on demonstration of site suitability and capability via expert reports, proposal is worthy of support. Refer to the Geotech report and Rock Outcrop Assessment submitted with the DA package. Also refer to Gradient Plan (L01) and calculations submitted with the DA plan set.</p> <p>All cross fall and boundary slopes are less than 30% (refer to dwg L01), as per below:</p>

Building Area = 175m² Min

Proposed Lot 1 crossfall:

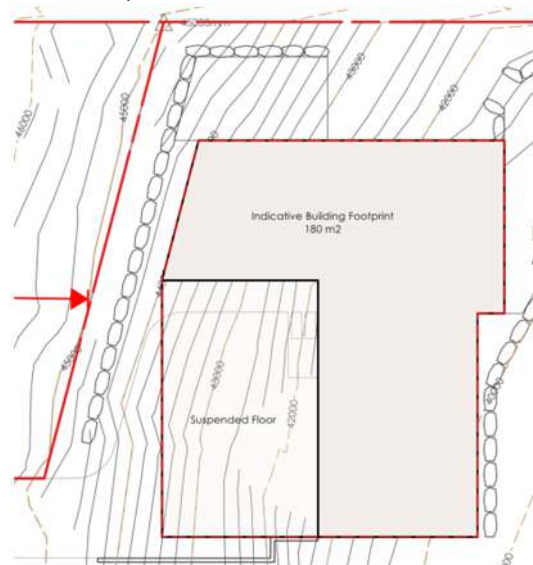


Proposed Lot 2 crossfall:



Proposed Lot 1: Existing dwelling NA

Proposed Lot 2: dwelling, incl double garage+ suspended floor area – 180m² (extract of dwg L01 below):



B3 – Hazard Controls	
<p>B3.1 Landslip Hazard</p> <p>Comply with Geotech Risk Management Policy for Pittwater (Appendix 5).</p> <p>Site is mapped as Geotechnical Hazard H1 (Map_013).</p>	<p>A Geotech Report and Rock Outcrop Assessment is submitted with the DA package.</p> <p>Both reports conclude that construction of a new dwelling on Proposed Lot 2 is capable of complying, noting that the excavated sandstone is to be reused as part of the retaining wall for the rear lot and drainage of the rear lot is adequate to ensure stormwater is collected and drained from the site via the registered drainage easement over Lot H (west of subject site).</p>
B4 – Controls Relating to the Natural Environment	
<p>B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor</p> <p><i>Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.</i></p> <p><i>Development shall provide an adequate buffer to wildlife corridors.</i></p> <p><i>Development shall provide flora and fauna habitat and wildlife corridors by active restoration, regeneration, and/or creation.</i></p> <p><i>Development shall result in no significant onsite loss of canopy cover or net loss in native canopy trees.</i></p> <p><i>Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in Native Plants for Your Garden available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and should not include environmental weeds.</i></p> <p><i>Planting is to maximise linkage to the wildlife corridor.</i></p> <p><i>Development shall not negatively impact on threatened species, endangered populations or endangered ecological communities.</i></p>	<p>Council's mapping identifies the site and area as Flora and Fauna Conservation Areas – Category 2 and Wildlife Corridor.</p> <p>The rear of the site is grassed with no understory and contains few trees. The existing fencing is consistent with controls and will be retained as part of this proposal.</p> <p>The condition of the existing vegetation has been assessed by a qualified Arborist, the report provided with this application for Council's consideration. Also submitted is a Flora and Fauna Assessment prepared in relation to the Northern Beaches Consolidated LEP planning proposal. The F&F assessment was prepared by Kingfisher Urban Ecology. Based on site assessments, only 38% of the site will fall within the designated biodiversity corridors and tree canopy area criteria (significantly less than the 50% or more) in order to hold environmental value.</p> <p>The NB Consolidated Planning Proposal, current with the State Planning seeking Gateway Determination no longer maps the site as being within the biodiversity area.</p> <p>Based on the above, the site is not considered to present as high biodiversity value as the site is highly modified and consistent with a managed domestic garden. The condition of the site, the vegetation, its value and significance may be enhanced through future landscaping consistent with the list on council's website.</p>

<p><i>Caretakers of domestic animals shall prevent them from entering bushland.</i></p> <p><i>Fencing, where permitted, shall be passable by native wildlife.</i></p>	<p>Its current contribution and ability to support habitat elements or connectivity is limited and unlikely to be viable even without the proposed development.</p> <p>The site is currently fragmented from the significant vegetation and corridor located to the south. The existing site conditions limit the ability of the site to significantly contribute to the existing corridor.</p> <p>The proposed development will not generate any adverse impacts on the existing corridor or the ability of wildlife to traverse the existing corridor and is therefore consistent with the objectives.</p> <p>There are two trees to be removed as part of this application. An Arborist Report is submitted with the DA package which addresses the proposed removal of trees T4 and T7).</p> <p>T4: removal to facilitate the driveway to Proposed Lot 2.</p> <p>T7: removal within the building zone of the building envelope of Proposed Lot 2.</p> <p>Otherwise, biodiversity is not disturbed by the proposal as part of this application.</p>
<p>B4.22 Preservation of Trees and Bushland Vegetation</p> <p><i>When a DA required for clearing vegetation, the following requirements apply:</i></p> <p><i>5. Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.</i></p> <p><i>6. Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</i></p> <p><i>7. Development must also avoid any impact on trees on public land.</i></p>	<p>T4 and T7, as identified within the Arborist Report are to be removed as part of this application.</p> <p>T4: removal to facilitate the driveway to Proposed Lot 2.</p> <p>T7: removal within the building zone of the building envelope of Proposed Lot 2.</p> <p>Otherwise, biodiversity is not disturbed by the proposal as part of this application.</p>

<p>8. For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 18 (P21DCP) is to be submitted.</p> <p>9. Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 19 (P21DCP) is to be submitted.</p>	
B5 Water Management	
<p>B5.15 Stormwater</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><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>A Stormwater Management Plan is submitted with the DA package.</p> <p>A drainage easement – 1.2m wide has been created to join the subject site to Lot H (west of the site).</p> <p>Existing dwelling: roof drainage connected to 3000L rainwater tank. Proposed Lot 2: 48000L future underground OSD tank + 3000L underground rainwater tank and 12m² raingarden to collect and drain stormwater to approved 1.2m wide drain easement from Proposed Lot 2 to Lot H (west of the site). A condition/covenant requiring the OSD as part of the future dwelling DA is sought.</p>
B6 Access and Parking	
<p>Access and internal driveways</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"> • Australian Standard AS/NZS 2890.1-2004: <i>Parking Facilities - Part 1: Off-Street</i> • Car Parking. Australian Standard AS/NZS 2890.2-2002: <i>Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities except as qualified in this control.</i> 	<p>The driveway has been professionally designed (refer to Stormwater Concept Plan) to be able to meet the necessary Australian standards and council requirements, including the transition gradients within Proposed Lot 2.</p> <p>The existing crossover is retained and the new driveway is 3.3m and 3.0m wide for the length of the Right of Way (ROW), comprising a shared driveway for access to onsite parking for both lots.</p> <p>Refer to the various drawings in the DA plan set.</p>
<p>Number of Access Driveways per Allotment</p> <p><i>The number of permissible Access Driveways to an allotment is as follows:</i></p>	<p>Existing crossover and driveway access from Cooleena Road to the new shared driveway is provided.</p>

<ul style="list-style-type: none">where the frontage of an allotment to a local public road is less than 30m, one only access driveway.							
<p>Shared Driveways and Access Driveways located in front of adjoining properties</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>Proposed shared driveway to be created, via a ROW easement burdening Proposed Lot 2 in favour of Proposed Lot 1.</p> <p>The shared driveway will provide access to the new double carport of the existing dwelling and to the rear lot – double garage with turning area.</p> <p>All vehicles will be able to enter and leave the two allotments in a forward direction.</p>						
<p>Access Driveway Location</p> <p><i>Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:</i></p> <ul style="list-style-type: none">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; andminimum 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. <p><i>The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.</i></p>	<p>Complies. Existing crossover to Cooleena Road retained.</p> <p>Sight distances comply.</p> <p>No street trees are impacted by the proposal. The driveway has been designed to ensure retention and protection of the existing street tree. Refer to Arborist report.</p>						
<p>Access Driveway Width</p> <p><i>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:</i></p> <table><tr><td>Distance Building Line to Boundary</td><td>Width at Boundary</td><td>Width at Kerb</td></tr><tr><td>Nil to 3.5m</td><td>Width of car parking</td><td>Width of car parking or</td></tr></table>	Distance Building Line to Boundary	Width at Boundary	Width at Kerb	Nil to 3.5m	Width of car parking	Width of car parking or	<p>Existing crossover and entry driveway retained – 3.3m wide.</p> <p>ROW – 3.0m wide as shared driveway over Proposed Lot 1 to Proposed Lot 2.</p>
Distance Building Line to Boundary	Width at Boundary	Width at Kerb					
Nil to 3.5m	Width of car parking	Width of car parking or					

	<i>area or garage opening</i>	<i>garage opening plus 0.5m</i>	
Greater than 3.5m to 6.5m	4.0m	4.5m	
Greater than 6.5m	3.0m	3.5m	
<i>Access Driveway width can be varied subject to a merit based consideration.</i>			
<p>Access Driveway Profile and Gradient</p> <p><i>Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles.</i></p> <p><i>Access Driveway Construction and Finishes</i></p> <p><i>All Access Driveways shall be constructed with an impervious pavement and gutter crossing construction.</i></p> <p><i>Gutter crossings are to be in plain concrete.</i></p> <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>Existing crossover retained.</p> <p>Refer to driveway plan and long section profile shown on dwg L07 – shared ROW, concrete driveway proposed. Plans show gradients along the length of the driveway and transitions to garage in Proposed Lot 2.</p> <p>Proposed Lot 1: shared driveway access to 6.0m side double carport.</p> <p>Proposed Lot 2: 3.0m driveway to hardstand turning area below suspended building above and to double garage.</p>
Ancillary Structures within the Road Reserve			None.
<p>Access Driveway - Stormwater Drainage</p> <p><i>All Access Driveways on the low side of the road are to be designed and constructed such that stormwater drainage is directed away from the Access Driveway.</i></p>			Refer to the Stormwater Plans submitted with the DA package.

<p>Access Driveway and Public Utilities Costs</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>Noted.</p>
<p>B6.2 Internal Driveways</p> <p><u>Internal Driveway Stormwater Drainage</u></p> <p><i>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.</i></p> <p><u>Internal Driveway Construction/Finishes</u></p> <p><i>Internal Driveways shall have a stable surface for all weather construction.</i></p> <p><i>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.</i></p>	<p>Refer to dwg L07 for driveway profile and the stormwater drainage plan. Driveway grates and pits are suitably located to capture stormwater and drain to the approved easement.</p>
<p>B6.3 Off-street Vehicle Parking requirements</p> <p><i>Dwelling: 2 bedrooms or more – 2 spaces</i></p> <p><i>Secondary dwelling: 1 parking space, in addition to existing dwelling</i></p> <p><i>Variations</i></p> <p><i>Car Parking for Secondary Dwelling or Dual Occupancy</i></p> <p><i>A reduction in the car parking requirements for a secondary dwelling or dual occupancy to a minimum of 2 spaces per allotment may be considered on merit.</i></p>	<p>Proposed Lot 1: demolition of existing, single, attached garage and construction of a new double carport at the rear of the existing dwelling.</p> <p>Secondary dwelling: Originally approved with the reliance on one carspace (existing single garage).</p> <p>The proposal provides for two onsite spaces for the existing dwelling (an increase of one space) and an additional space that can be used for the secondary dwelling. This amounts to an improvement to the existing situation.</p> <p>The photo series also serves to demonstrate that the street parking is not at capacity there is available space for surplus parking.</p> <p>Overall, the crossover and driveway location into the two lots is not altered, the landuse and number of bedrooms on Proposed Lot 1 is not altered, the onsite parking for Lot 1 is increased, the photo series provides evidence of on-street parking capability as a merit based variation.</p> <p>Proposed Lot 2: A double garage for two vehicles</p>

is demonstrated as capable of being provided with adequate turning area under a suspended slab and habitable level above.
Complies.

2020



2019



B8 Site Works Management

B8.1 Construction and Demolition - Excavation and Landfill

Excavation and landfill on any site that includes the following:

- *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;*
- *Any excavation greater than 1.5 metres deep below the existing surface;*
- *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;*
- *Any landfill greater than 1.0 metres in height; and/or*
- *Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions*

Refer to the Geotech Report and Outcrop Assessment Report submitted with the DA package.

<p><i>on sites with low bearing capacity soils, must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.</i></p>	
<p>B8.3 Construction and Demolition – Waste Management</p> <p><i>Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</i></p>	<p>A Waste Management Plan is submitted with the DA package.</p> <p>A demolition plan showing the removal of the single attached garage is part of the application.</p>
<p>SECTION C – DEVELOPMENT TYPE CONTROLS</p>	
<p>C1 Design Criteria for Residential Development</p>	
<p>C1.1 Landscaping</p> <p><i>Front of buildings (between the front boundary and any built structures) of dwelling house – 60% min</i></p> <p><i>50% (min) native species, comprising a range of low, medium shrubs and canopy trees.</i></p>	<p>Refer to L04 (Area Calculation) for plan of soft and hard landscape areas which demonstrate compliance with the 60% min requirement, including 6% allowance for hard landscape areas per lot to allow for pathways and terraces etc</p> <p>L04 shows front setback of existing dwelling is landscaped, except for pedestrian footpath and existing driveway (ROW) for the subdivision.</p> <p>The proposed landscape scheme achieves the following DCP outcomes:</p> <ul style="list-style-type: none"> – A built form softened and complemented by landscaping; – Suitable landscaping that reflects the low density nature of development on the site and in the area; – Retention of existing vegetation, where possible. – Use of pier and beam footings for the concept plans for the new dwelling which will minimise impacts on the existing site values; – No impact on the local biodiversity – Landscaping with low watering requirements. <p>A comprehensive landscape scheme for Proposed Lot 2 will be submitted with the future DA for the dwelling. The DA plan set demonstrates that adequate areas and mix of soft and hard landscape areas are available for both lots that achieves the DCP outcomes.</p>

C1.2 Security and Safety	<p>The site does not have a street frontage. The driveway passes the front two properties and is not straight. Passive surveillance is provided by the front properties.</p> <p>The occupants of the site will decide on the level of security required, post construction. Access to the yard area is limited by the change in level from the driveway with stairs able to be gated and secured as deemed necessary by the occupants.</p>
C1.3 View Sharing <p>The controls seek to achieve the outcomes:</p> <p><i>A reasonable sharing of views amongst dwellings.</i></p> <p><i>Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.</i></p> <p><i>Canopy trees take priority over views.</i></p>	<p>Dwellings on both proposed lots are height compliant with the LEP Height of Buildings development standard.</p> <p>Any view loss would be across boundary outlooks from the rear of adjoining properties with mature trees and vegetation within their own properties significantly impacting on any of those outlooks.</p>
C1.4 Solar Access	<p>Shadow diagrams are submitted with the DA plan set. Shadowing would not be a reasonable basis to warrant refusal of the application.</p>
C1.5 Visual Privacy <p>The controls seek to achieve the outcomes:</p> <p><i>Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.</i></p> <p><i>A sense of territory and safety is provided for residents.</i></p>	<p>The final design and layout of the new dwelling on Proposed Lot 2 will address visual privacy from the dwelling and POS area as part of that application, including the position and sizing of side window openings and any screening of POS areas.</p>
C1.6 Acoustic Privacy <p><i>Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.</i></p> <p><i>Noise is not to be offensive as defined by the Protection of the Environment Operations</i></p>	<p>Proposed Lot 1: Existing dwelling.</p> <p>Proposed Lot 2: Capable of complying. Concept plans for single dwelling only. Capable of complying when final design and layout is submitted.</p>

<p>Act 1997, including noise from plant, equipment and communal or private open space areas.</p>	
<p>C1.7 Private Open Space</p> <p><i>Private open space shall be provided as follows:-</i></p> <p><i>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</i></p> <p><i>Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3m. 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>LO4 shows the locations of the outdoor POS areas for both lots.</p> <p>Proposed Lot 1: 151m² POS with three areas nominated, including front yard.</p> <p>Proposed Lot 2: Minimum 83m² POS indicated with two areas available. In reality a greater area is capable of being utilised for private open space functions.</p> <p>Both lots have areas of 4m x 4m shown on L04 with at least one area connected to internal areas of the existing dwelling and concept building envelope for Lot 2.</p>
<p>C1.11 Secondary Dwellings</p>	<p>Existing secondary dwelling at rear lower level of Proposed Lot 1 - approved by Council in 2017.</p> <p>See B6.3 above regarding parking for the secondary dwelling.</p>
<p>C1.12 Waste and Recycling Facilities</p> <p>The controls seek to achieve the outcomes:</p> <p><i>Waste facilities are accessible and convenient and integrate with the development.</i></p> <p><i>Waste facilities are located such that they do not adversely impact upon amenity of the land</i></p>	<p>Proposed Lot 1: as existing. No change.</p> <p>Proposed Lot 2: capable of complying with design and layout of the dwelling house to be finalised in the future DA.</p>

<i>adjoining development or natural environment.</i>	
<p>C1. 15 Storage Facilities</p> <p>A lockable storage area of minimum 8 cubic metres per dwelling shall be provided. This may form part of a carport or garage.</p>	<p>Proposed Lot 1: Existing dwelling with new double carport to be constructed.</p> <p>Proposed Lot 2: Double garage and 180m² building envelope included in concept building envelope – capable of complying with minimum storage requirements.</p>

C4 Design Criteria for Subdivision

<p>C4.1 Subdivision - Protection from Hazards</p> <p><i>All subdivision is to be designed such that adequate building platforms /building areas are provided that have a low risk due to hazards including flood, landslip, bushfire, coastline, and estuarine hazards.</i></p>	<p>The Development Package for this application includes a Geotechnical Report, Outcrop Assessment Report, Landscape plans, stormwater drainage, concept plans for the siting and future development of a single dwelling, access, parking and turning area on Proposed Lot 2, minimal tree removal and replacement. Each of these reports and plans demonstrate the site suitability and capability of the subdivision and future development of the land.</p> <p>Detailed information in relation to site gradients, stormwater management and landslip is submitted.</p>
<p>C4.2 Subdivision - Access Driveways and Off-Street Parking Facilities</p>	<p>L06 contains B85 percentile turning paths for each allotment, demonstrating compliance for each lot.</p> <p>Each is provided with two onsite parking spaces and there is sufficient turning area to ensure that vehicles can enter and leave the allotments in a forward direction.</p> <p>The existing secondary dwelling was approved with the single garage for the principal dwelling and on-street parking for the secondary dwelling. A new double carport will provide the same amount of onsite parking as previously approved and whereas the double carport will be used by the principal dwelling, the circumstances of onstreet parking for the secondary dwelling remains valid as there is no change to the front crossover or entrance driveway to the site.</p> <p>Long sections of the driveway and concepts plans for the building envelope and undercroft turning area (below suspended floor) on Proposed Lot 2</p>

	provided. The transitions into the garage are 16.22% and 7.88% which ensures no bottom end scraping.
C4.5 Subdivision – Utility Services <i>All lots created within the subdivision are to be fully serviced by:</i> <ul style="list-style-type: none"> • Electricity • Water • Gas • Communications • Sewer 	<p>Ausgrid – Previous DA referred to Ausgrid – no objection.</p> <p>Drainage and stormwater details with the DA package.</p> <p>Existing sewer main traverses the rear boundary of the site.</p>
C4.7 Subdivision - Amenity and Design <i>Subdivision should be designed to ensure that</i> <ol style="list-style-type: none"> <i>all properties, both existing and proposed, achieve/retain a level of amenity commensurate with the locality and the desired character of the area;</i> <i>the impact on the environment of the completed development (including buildings to be constructed on the proposed lots) has an acceptable impact on the environment.</i> 	<p>This is a 'conclusive' provision of the DCP based on satisfaction of all other elements of the proposal.</p> <p>The DA package includes the necessary details identified and requested by Council in the Pre-DA discussions and previous applications, including by not limited to, 3D concept designs of the building envelope for a new single dwelling on Proposed Lot 2, landscape plans, private open space areas, driveway gradients, turning areas, building envelopes, site retention, tree removal and drainage.</p> <p>The subdivision application provides sufficient consideration of the site constraints to address identified potential impacts on neighbouring land with measures in place to address each of those impacts.</p> <p>This level of detail complies with the planning principle under <i>Parrott v Kiama [2004] NSWLEC 77</i>.</p> <p>The subject site is considered environmentally sensitive as a result of its slope and topography characteristics. The level of detailed provided supports the approval of the application by Council as the likely future development of Proposed Lot 2 is appropriately dealt with in this application.</p> <p>The Development Plans confirm compliance with the development outcomes as:</p> <ul style="list-style-type: none"> • Is consistent with the existing development pattern within the locality.

	<ul style="list-style-type: none"> Will not unduly impact the amenity of the locality. Includes a compliant indicative building footprint according to council controls and within the constraints of the site. The lot arrangement complies with the building area requirement, parking, access, POS and landscape area requirements for Proposed Lot 2.
C4.8 Subdivision - Landscaping on the Existing and proposed public road reserve frontage to subdivision lots	<p>No change to any vegetation within the front road reserve.</p> <p>Two trees require removal for the subdivision and siting of the building envelope on Proposed Lot 2, being T4 & T7.</p> <p>An Arborist Report is submitted with the DA package with the DA plan set indicating the location of the two trees.</p>
SECTION D – LOCALITY SPECIFIC DEVELOPMENT CONTROLS	
D5 Elanora Heights Locality	
D5.1 Character as viewed from a public place (Excluding Elanora Heights Village Centre)	<p>Proposed Lot 1: Existing dwelling and street view substantially unchanged. Retains large area of soft landscaping in the front setback.</p> <p>Proposed Lot 2: concept plans, DA plans and report demonstrate the suitability and capability of the site to contain a new single dwelling and associated surrounds outside the main building footprint. Planting scheme to be designed as part of future DA.</p>
D5.2 – D5.45, except D5.9 (below)	<p>The two lots are of a size and dimension that can accommodate fully compliant dwelling houses, designed and sited to maintain established view lines, compliant solar access and appropriate residential amenity to the adjoining residential land. Refer to the 3D building concepts for Proposed Lot 2 and various details in the DA plan set and accompanying reports.</p> <p>These matters will be fully considered and addressed in the future DA for the development of Proposed Lot 2.</p>
D5.9 Landscaped Area - Environmentally Sensitive Land	<p>Proposed Lot 1: Site Area: 554m² 60% = 332.4m²</p>

The total landscaped area on land zoned ~~R2-Low Density Residential~~ or E4 Environmental Living shall be 60% of the site area.

Proposed landscape area:
299.2m² soft (54%) + 33.5m² hard (6%) = 60%
Complies.

Proposed Lot 2:
Site Area: 593.6m²
60% = 356.16m²
Proposed: 342.7m² soft (57%) and 39.2m² hard (6%) = 63%
Complies.

Both lots comply with the minimum landscape area.

4.3 Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

There are no planning agreements that are applicable to the subject site or development.

4.4 The Likely Impacts of the Development

The impacts on the natural and built environments are of a level considered acceptable for the scale and nature of development proposed. In this instance, the impact level is not to the extent that would warrant refusal or modification of the proposal. The plans and reports submitted with the DA demonstrate that compliant development can occur on each proposed allotment with the site constraints of each lot addressed in the application. Concept plans for Proposed Lot 2 are included in the DA plan set, including 3D concepts of a building envelope, access, turning area, private open space, soft and hard landscape areas and drainage details included. The finer design and layout details of the new dwelling will be submitted as part of a future DA for Proposed Lot 2.

Social impacts are positive as a result of the creation of opportunities for new development in this area. The proposal is a new allotment with a new dwelling on Proposed Lot 2. Optimisation of the development potential of this subject parent site is realized by the proposal. The site is ideally suited to the proposed use, which is permissible and satisfies the broad objectives of PLEP 2014 and Pittwater 21 DCP for the Elanora Heights locality.

4.5 Suitability of the Site for the Development

The subject site has been deemed appropriate for the proposed development, particularly in terms of:

- Consistency with likely future character and low-density nature of development within the locality.
- Consistency with the objectives and development standards applying to the land.
- Demonstrated capability of Proposed Lot 2 to contain a new low density residential development.

The assessment of the proposal throughout this Statement finds that the proposal will not unduly impact on the amenity of the adjoining properties or the enjoyment of primary open space by adjoining residents. Overall, the proposal is considered to be suitable for this site.

4.6 Any Submissions Made in Accordance with this Act or the Regulations

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

4.7 The Public Interest

Given that the relevant issues have been addressed with regard to the public interest as reflected in the relevant planning policies and codes, the development is unlikely to result in any adverse impact to the public interest in the circumstance of the case, particularly noting compliance with Council's planning controls and the opportunity to create additional housing stock in a low density setting.

5.0 CONCLUSION

The proposal is for the demolition of the attached single garage of the existing dwelling house and subdivision of the land into two lots, including proposed tree removal, access, parking, landscaping and drainage elements of the subdivision. The proposal is permissible in the Environmental Living zone under the Pittwater LEP 2014.

Should the easement registration not be completed prior to issue of determination by Council for this application, then it is requested that a condition be imposed requiring registration prior to issue of the subdivision certificate.

The proposal has been assessed having regard to the relevant matters for consideration under s4.15 of the *EP&A Act 1979*, Pittwater LEP 2014, and the Pittwater 21 DCP.

The proposal represents a development based on sound and established urban design principles and based on Council's planning policies and satisfies the objectives of the relevant environmental planning instruments and development control plans as demonstrated throughout this report.

The impacts on the natural and built environments are of a level considered acceptable for low density residential development of the scale and nature proposed, particularly having regard to the opportunities and constraints of the site. In this instance, the impact level is not to the extent that would require refusal or modification of the proposal.

The proposal is consistent with the objects of the *EP&A Act 1979* to promote the orderly and economic development of land. The site has previously been assessed and approved as suitable for the residential development as approved by DA2020/0246 for the subdivision of the land that created Lot 14. The proposed single dwelling with detached double garage is foreseen by the approved building footprint.

On the merit assessment of all the issues and potential impacts discussed in this report the proposal is deemed to be worthy of Council's support.

APPENDIX 1

Survey Plan

Structerre Surveying

APPENDIX 2
Architectural Plans
WY Design Studio

APPENDIX 3

Stormwater Drainage Plans

Lodessa Engineering

APPENDIX 4

Geotech Report and Outcrop Assessment Report

Aw Geotechnical

APPENDIX 5

Flora & Fauna Assessment

Kingfisher Urban Ecology

APPENDIX 6

Registered Deed of Easement