

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**ACCOMPANYING A DEVELOPMENT APPLICATION FOR**

**WATER HARVESTING & SUB SURFACE DRAINAGE**

**OF GOLF COURSE FAIRWAYS**

**AT**

**BAYVIEW GOLF CLUB**

**1825 PITTWATER ROAD, BAYVIEW &**

**52 CABBAGE TREE ROAD, BAYVIEW**



**Prepared**  
**August 2021**

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## 1.0 Introduction

This Statement of Environmental Effects has been prepared by Bayview Golf Club to accompany a development application for subsurface drainage and storm water harvesting.

The land is zoned RE2 - Private Recreation under the provisions of the Pittwater Local Environmental Plan 2014.

The Application relates to the parcels which comprise Bayview Golf Club, including Lot 1 DP 662920, Lot 1 DP 986894, Lot 150 DP 1003518, Lot 191 DP 1039481, Lot 2 986894 & Lot 3 DP 986894. The site is known within Council's records as No. 1825 Pittwater Road, Bayview & 52 Cabbage Tree Road, Bayview.

The Club's grass fairways as shown on aerial photographs are subject to puddling and sub-soil moisture retention after rain events. If the water stands for more than approximately 3 days, the fairway grass dies, leaving the fairways in a muddy and slippery state. This is counter to any reasonable expectation of the playing condition of a golf course fairway. Currently, depending on the severity and size of the dead grass areas, the Club is required to re-turf the affected areas for not only aesthetic and playing conditions but for the safety of its Members. In order to mitigate water damage to the fairways and the groundhog effect of re-laying turf, it is the Club's intention to capture and move the water from these areas.

With the growing effects of increasing climate change and the subsequent longer periods of drought the Club wishes to incorporate the subsurface drainage plan with a water harvesting plan to capture and transfer water from puddling areas due to rain events and the recycling of overnight irrigation to its existing irrigation storage pond. This will result in a greater independence of the Club's water supply and reduce the need of supplementary volumes from Sydney Water.

This Statement of Environmental Effects has addressed all of the various operational and environmental consequences of the proposal. Further, this analysis concludes that the proposal will have no detrimental impact on surrounding land uses in the locality or the public's perception of the site within the streetscape context beyond the initial construction period. Rather, this upgrading of the subsurface drainage systems will result in a positive impact in the sustainability of the Club's operation along with the streetscape when viewed from the public / private domain.

Under the circumstances, there is no impediment to Council granting consent to the proposal as submitted.

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *State Environmental Planning Policy (Koala Habitat Protection) 2021*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan*

Pre-Lodgement Meeting No. 2020/0254 was held on 10 November 2020, to discuss the proposal for stormwater harvesting and irrigation. The subject submission addresses the matters raised by Council in the meeting.

## **2.0 Property Description**

The subject site comprises Lot 1 DP 662920, Lot 1 DP 986894, Lot 150 DP 1003518 , Lot 191 DP 1039481, Lot 2 986894 & Lot 3 DP 986894. The site is known within Council's records as No.1825 Pittwater Road, Bayview and 52 Cabbage Tree Road, Bayview (the site).

The site is zoned RE2 - Private Recreation under the Pittwater Local Environmental Plan 2014.

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

The site is identified as being within the Class 2, 3 and 5 Acid Sulfate Soils Areas, and therefore this matter will be discussed further within this report.

The site is noted as being within Council's Biodiversity Mapped area and this issue will be discussed further within the submission.

The site is also noted as Flood Prone Land, together with being affected by Estuarine Wave Action, Tidal Inundation and Wetlands (other than Sydney Freshwater Wetland), and these issues will be discussed further within this submission.

A portion of the site is identified as Bush Fire Prone Land. This matter will be discussed further within this submission.

The site is noted as AE Hazard H2 on Council's Geotechnical Hazard Map. This matter will be discussed further within this submission.

### 3.0 Site Description

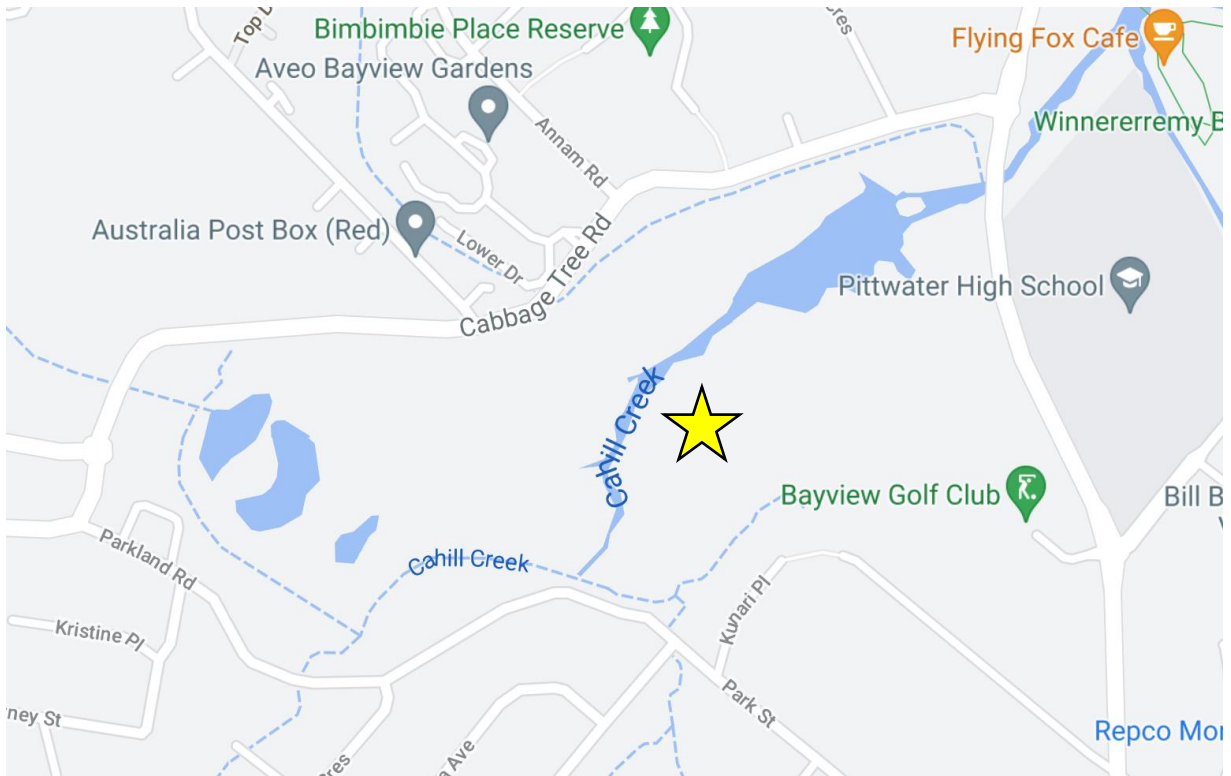
The site is utilised as an 18 hole golf course in a landscaped setting comprising large areas of grassed fairways divided by stands of trees with a series of ponds and water courses throughout the course as shown by the aerial photos

The site can generally be described as flat grassed golf course fairway.

There is a principal water course running through the course known in Council records as Cahill Creek, which discharges into Winnererremy Bay (Pittwater).

Accordingly, surrounding properties generally have extensive filtered views and view corridors over the golf course.

However, given the site topography and the fact that all works are buried below existing ground levels, these viewing opportunities will remain unchanged.



**Fig 1: Location of Subject Site**  
(Source: Google Maps)



**Fig 2: View of the main entry to the Bayview Golf Course from Pittwater Road, looking west**

#### 4.0 The Surrounding Environment

The general vicinity of the site is characterised by irregular shaped allotments within a natural bushland setting, with views towards Pittwater at over the golf course.

The s the proposed works are considered to be minor changes to the drainage provisions within the fairways and all works are located wholly within the site.

Surrounding the golf course are a range of single residential development and medium density townhouse style development.

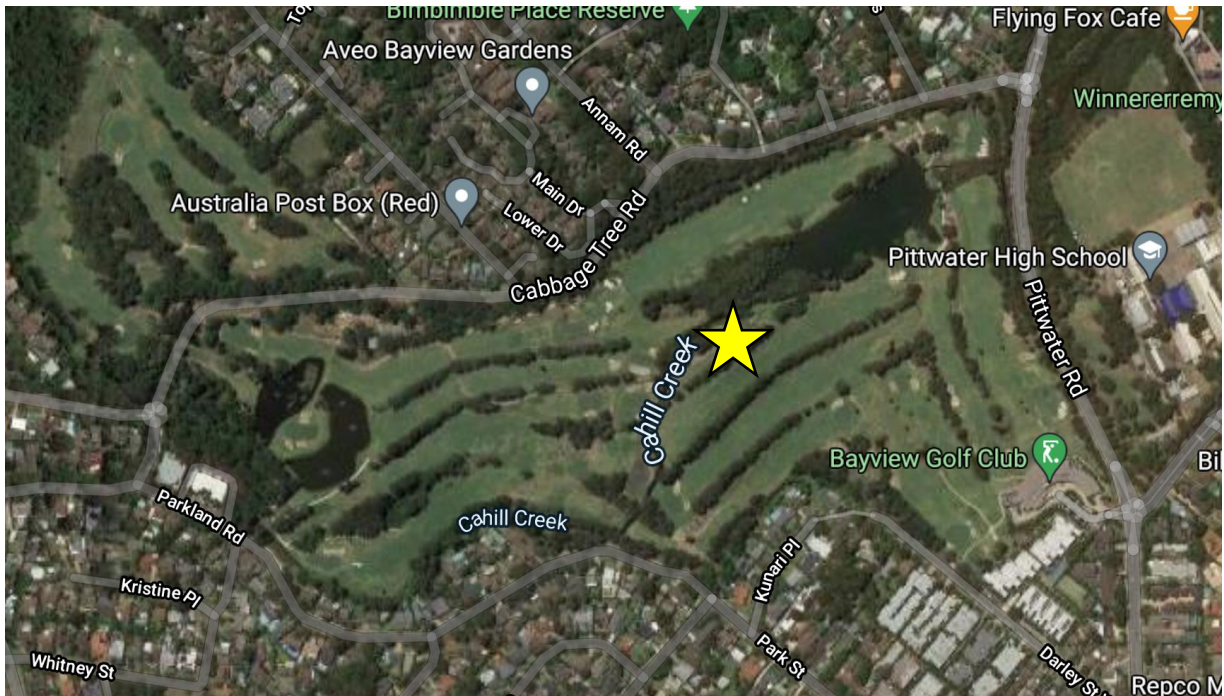


Fig 6: Aerial Photograph  
(Source: Google Maps)

## 5.0 Proposed Development

As detailed within the accompanying plans, the proposal seeks to provide for stormwater harvesting and irrigation to the existing Bayview Golf Club.

The proposed stormwater measures are being carried out due to the impact of the existing stormwater flows on trees and vegetation, as detailed in Figures 3 & 4 below.



**Fig 3: Aerial photo showing fairways in perfect green condition**

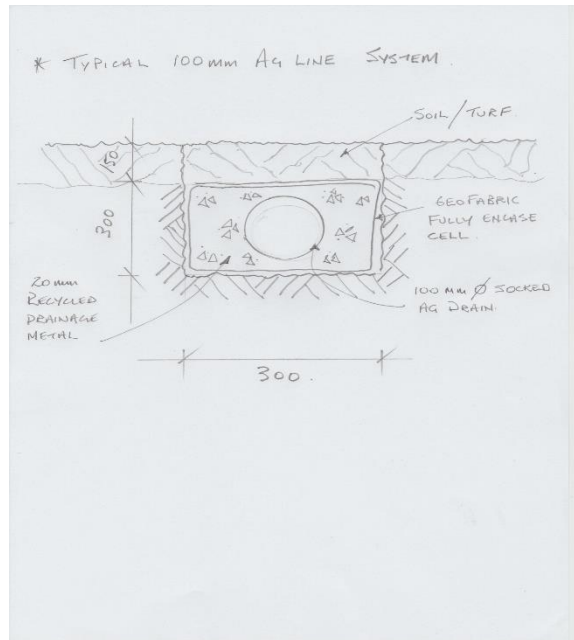


**Fig 4: Aerial photo showing the resulting dead / muddy areas after rain event**



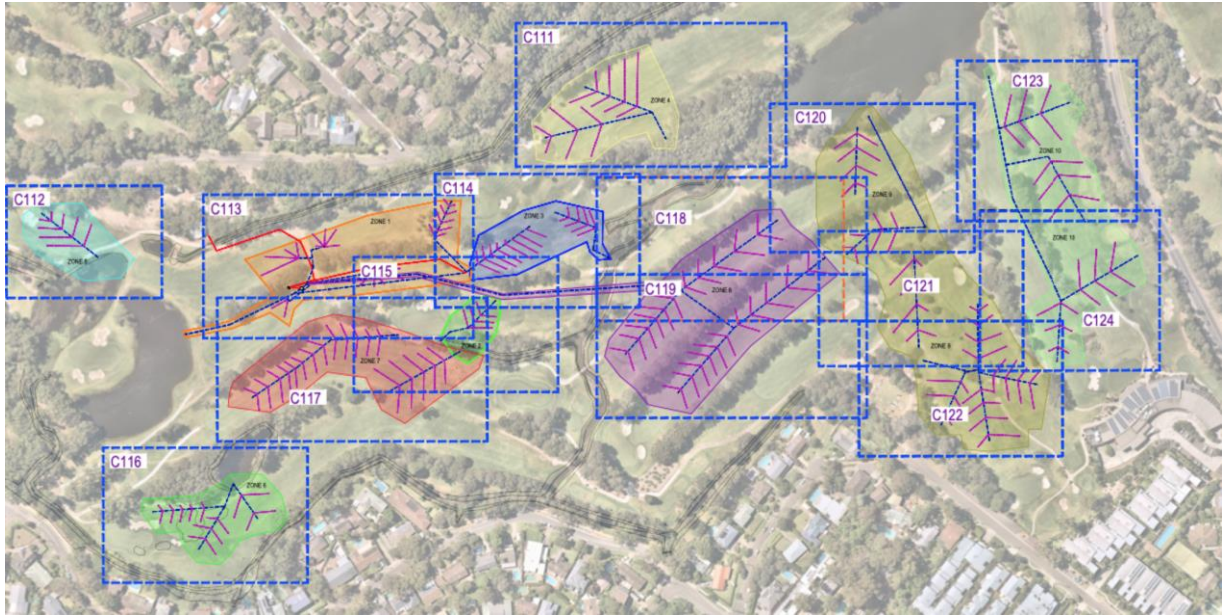
The proposed development is detailed in the plans prepared by Chrisp Consulting, Job No. 20056, and comprises the following:

A series of herringbone design subsurface drainage lines (Figure 5) using 100mm socked Ag line encapsulated with geofabric & drainage gravel cell to min fall 1:100. See Figure 4 below:



**Fig. 4: Detail of proposed subsurface drainage lines**

1. Series of herringbone design subsurface drainage lines (see Figure 9 below) using 100mm socked Ag line encapsulated with geofabric & drainage gravel cell to min fall 1:100.
2. Ag lines linked directly to 150mm PVC pipe using slope junctions
3. All herringbone zones will have 450mm precast concrete pits situated at system high point to be used as silt flushing access points.
4. 2 Secondary pumping stations consisting of 900 x 900 x 1500 FRP pit with gattic cover and frame holding submersible pump 600L/pm positioned mid fairway (C112 & C118) to move water to main transfer tank from Zones 1, 3 & 8
5. Main dewatering pump station (C111) located in Zone 1 consisting of 10500L concrete tank with 5Kpa roof loading. Single .75 Kw jockey pump 120L/pm and 5.5Kw 1200L/pm main pump to move water to existing silt arresting pond.
6. Zones 4, 5, 9 & 10 using existing PVC drainage lines to creek system all with one way flap valves fitted
7. Zones 2, 6 & 7 requiring new PVC drainage lines to creek system all with one way flap valves fitted.



**Fig 5: Drainage plan as detailed in plans prepared by Crisp Consulting**

The development will not impact Council’s stormwater infrastructure, as confirmed by Council’s Stormwater Engineer.

The proposal will see the removal of a number of trees in order to accommodate the development. The proposal is accompanied by an Arboricultural Impact Assessment prepared by Bellevue Tree Consultants, Reference No. BGC9221, dated 18 March 2021. Replacement plantings are to be provided as detailed in the submitted report.

## **6.0 Zoning and Development Controls**

### **6.1 State Environmental Planning Policy No. 55 – Remediation of Land**

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the retention of the existing use as a golf club, the site is not considered to be subject to contamination and further investigation is not required at this stage.

### **6.2 State Environmental Planning Policy (Koala Habitat Protection) 2021**

The SEPP (Koala Habitat Protection) 2021 applies to the subject development. The provisions relating to the proposal include:

#### **11 Development assessment process—no approved koala plan of management for land**

- (1) This clause applies to land to which this Policy applies if the land—
  - (a) has an area of at least 1 hectare (including adjoining land within the same ownership), and*
  - (b) does not have an approved koala plan of management applying to the land.**
- (2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.*
- (3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.*
- (4) If the council is satisfied that the development is likely to have a higher level of impact on koalas or koala habitat, the council must, in deciding whether to grant consent to the development application, take into account a koala assessment report for the development.*
- (5) However, despite subclauses (3) and (4), the council may grant development consent if the applicant provides to the council—
  - (a) information, prepared by a suitably qualified and experienced person, the council is satisfied demonstrates that the land subject of the development application—
    - (i) does not include any trees belonging to the koala use tree species listed in Schedule 2 for the relevant koala management area, or*
    - (ii) is not core koala habitat, or**
  - (b) information the council is satisfied demonstrates that the land subject of the development application—
    - (i) does not include any trees with a diameter at breast height over bark of more than 10 centimetres, or*
    - (ii) includes only horticultural or agricultural plantations.***

#### **Comment:**

The proposal, which seeks consent for stormwater harvesting and irrigation to the existing Bayview Golf Club, is not anticipated to have any adverse impact on koala habitat.

The works seek to improve stormwater drainage in order to maximise the retention of the existing landscaping and vegetation. Whilst the proposal will see the removal of a number of trees to accommodate the new works, replacement plantings will be provided as detailed in the submitted Arboricultural Impact Assessment prepared by Bellevue Tree Consultants.

The habitat available for native animals is considered to be largely maintained.

### **6.3 State Environmental Planning Policy (Coastal Management) 2018**

The subject site is identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is applicable to the proposed development.

The stated Aim of the Policy under Clause 3 is to:

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

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

The Coastal Management Act 2016 states within **Clause 3**:

The **objects** set out in **Clause 3** of the Coastal Management Act 2016 are:

- (a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and*
- (b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and*
- (c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and*
- (d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and*
- (e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and*
- (f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and*
- (g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and*
- (h) to promote integrated and co-ordinated coastal planning, management and reporting, and*
- (i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and*

- (j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and
- (k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and
- (l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and
- (m) to support the objects of the Marine Estate Management Act 2016.

It is submitted that the assessment detailed under the Statement of Environmental Effects suggests that the proposed development is consistent with the objects of the SEPP (Coastal Management) 2018, as set out in Clause 3 of the Coastal Management Act 2016.

The matters for consideration under SEPP (Coastal Management) 2018 are addressed as follows:

***Division 1 Coastal wetlands and littoral rainforests area***

***10 Development on certain land within coastal wetlands and littoral rainforests area***

- (1) The following may be carried out on land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map only with development consent—
  - (a) the clearing of native vegetation within the meaning of Part 5A of the Local Land Services Act 2013,
  - (b) the harm of marine vegetation within the meaning of Division 4 of Part 7 of the Fisheries Management Act 1994,
  - (c) the carrying out of any of the following—
    - (i) earthworks (including the depositing of material on land),
    - (ii) constructing a levee,
    - (iii) draining the land,
    - (iv) environmental protection works,
    - (d) any other development.
- (2) Development for which consent is required by subclause (1), other than development for the purpose of environmental protection works, is declared to be designated development for the purposes of the Act.
- (3) Despite subclause (1), development for the purpose of environmental protection works on land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map may be carried out by or on behalf of a public authority without development consent if the development is identified in—
  - (a) the relevant certified coastal management program, or
  - (b) a plan of management prepared and adopted under Division 2 of Part 2 of Chapter 6 of the Local Government Act 1993, or
  - (c) a plan of management under Division 3.6 of the Crown Land Management Act 2016.
- (4) A consent authority must not grant consent for development referred to in subclause (1) unless the consent authority is satisfied that sufficient measures have been, or will be, taken

*to protect, and where possible enhance, the biophysical, hydrological and ecological integrity of the coastal wetland or littoral rainforest.*

- (5) *Nothing in this clause requires consent for the damage or removal of a priority weed within the meaning of clause 32 of Schedule 7 to the Biosecurity Act 2015.*
- (6) *This clause does not apply to the carrying out of development on land reserved under the National Parks and Wildlife Act 1974 if the proposed development is consistent with a plan of management prepared under that Act for the land concerned.*

**Comment:**

The proposal seeks to provide for stormwater infrastructure only. The proposal will see the removal of a number of trees in order to accommodate the development. The proposal is accompanied by an Arboricultural Impact Assessment prepared by Bellevue Tree Consultants, Reference No. BGC9221, dated 18 March 2021. Replacement plantings are to be provided as detailed in the submitted report.

The submission is accompanied by an Estuarine Risk Management Report prepared by Horton Coastal Engineering dated 1 August 2021 which confirms that the subject proposal will not result in any adverse impacts on the estuarine habitat. The Estuarine Risk Management and Water Management Report also considers the works under the provisions of the State Environmental Planning Policy (Coastal Management) 2018.in

Development consent is being sought from Council in accordance with the provisions of this clause.

**11 Development on land in proximity to coastal wetlands or littoral rainforest**

- (1) *Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on—*
  - (a) *the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or*
  - (b) *the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.*
- (2) *This clause does not apply to land that is identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map.*

**Comment:**

The Stormwater Drainage Plans and Sediment & Erosion Control Plans prepared by Crisp Consulting and submitted with the application confirm that the impacts of the development on the nearby coastal wetland and waterway will be minimised.

**Division 3 Coastal environment area**

**13 Development on land within the coastal environment area**

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
  - (b) coastal environmental values and natural coastal processes,*
  - (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
  - (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
  - (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
  - (f) Aboriginal cultural heritage, practices and places,*
  - (g) the use of the surf zone.*
- (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
  - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*
- (3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

**Comment:**

The proposal provides for stormwater harvesting and irrigation to the existing Bayview Golf Club.

As discussed previously, stormwater will be suitably managed in order to address Council's requirements.

Sediment and erosion control measures will be carried out to minimise the impact of the works on the waterway.

***Division 5 General***

***15 Development in coastal zone generally—development not to increase risk of coastal hazards***

*Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.*

**Comment**

The proposal provides for stormwater harvesting and irrigation to the existing Bayview Golf Club. The proposed new works are not considered to increase the risk of coastal hazards for the subject property or adjoining land.

**16 Development in coastal zone generally—coastal management programs to be considered**

*Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.*

**Comment:** No coastal management programs have been identified.

**17 Other development controls not affected**

*Subject to clause 7, for the avoidance of doubt, nothing in this Part:*

- (a) permits the carrying out of development that is prohibited development under another environmental planning instrument, or*
- (b) permits the carrying out of development without development consent where another environmental planning instrument provides that the development may be carried out only with development consent.*

**Comment:** Noted

**18 Hierarchy of development controls if overlapping**

*If a single parcel of land is identified by this Policy as being within more than one coastal management area and the development controls of those coastal management areas are inconsistent, the development controls of the highest of the following coastal management areas (set out highest to lowest) prevail to the extent of the inconsistency:*

- (a) the coastal wetlands and littoral rainforests area,*
- (b) the coastal vulnerability area,*
- (c) the coastal environment area,*
- (d) the coastal use area.*

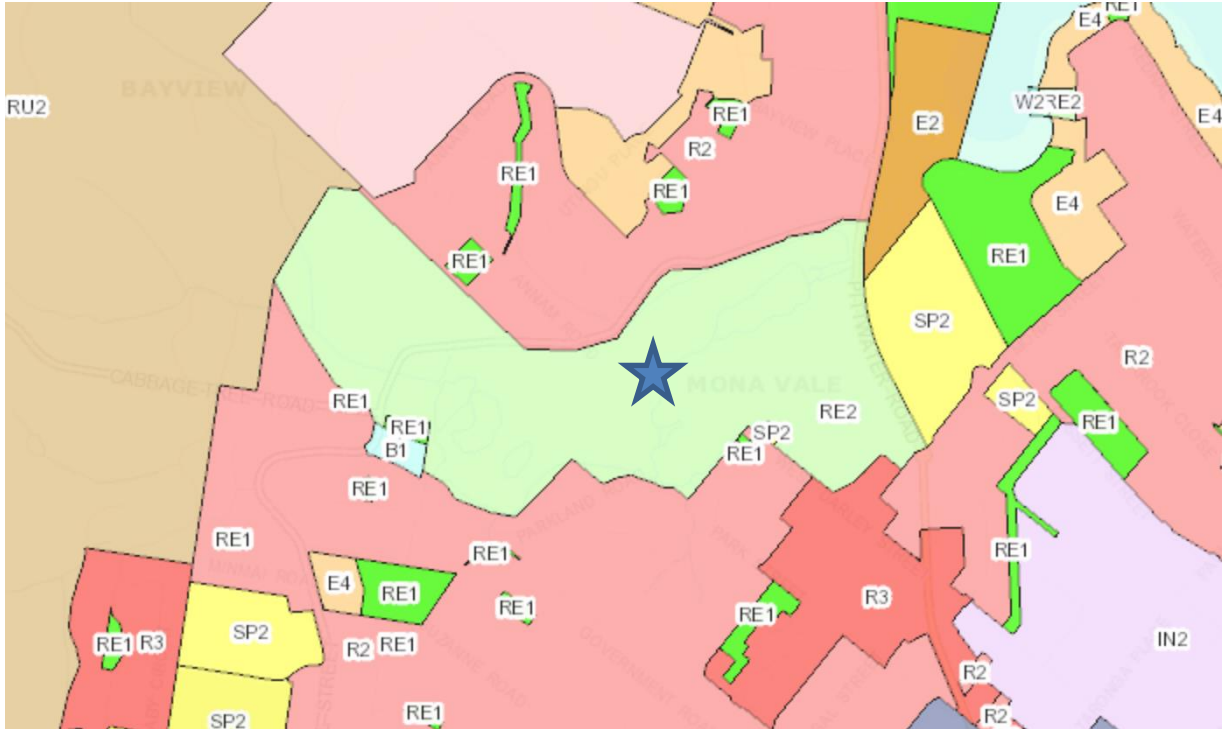
**Comment:** Noted



## 6.4 Pittwater Local Environmental Plan 2014

### Clause 2.3 Zone objectives and land Use Table

The site is zoned as RE2 Private Recreation under the provisions of the PLEP 2014.



**Fig 6: Extract from Pittwater Council Zoning Map**

The proposed ancillary works to the existing Bayview Golf Club are considered to be permissible in the RE2 zone with the consent of Council.

The development of and use of the land for residential purposes within the RE2 Private Recreation is consistent with the zone objectives, which are noted as:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To allow development of a scale and character that is appropriate to the nature of its recreational use, and is integrated with the landform and landscape.*

It is considered that the proposed stormwater harvesting and irrigation to the existing Bayview Golf Club will be consistent with the desired future character of the surrounding locality.

The works are sited at or below existing ground level, and will therefore not result in adverse impact on the neighbouring properties.

Additionally, the proposal does not have any impact on long distance views, with the works to be sited below ground level, which allows for views for the surrounding properties to be retained.

#### **Clause 4.3 – Height of Buildings**

The maximum building height in this portion of Bayview is 8.5m. The proposed new works will be sited at or below ground level and will therefore readily comply with Council's statutory height limit.

**Clause 7.1** relates to Acid Sulfate Soils. The site is identified as being within the Class 2, 3 and 5 Acid Sulfate Soils area. It is not anticipated that any acid sulfate soils will be encountered, and no further investigation is deemed necessary in this instance.

**Clause 7.2** relates to earthworks.

The proposed works will be carried out in accordance with the recommendations of the consulting Structural Engineers, which will ensure that appropriate structural integrity for the site will be maintained.

#### **Clause 7.3 – Flood Planning**

The site is identified as Low, Medium and High Risk on Council's Flood Prone Land Map, and as being within H3, H5 and H6 within Council's Land within Risk to Life Flood Category.

The proposed subsurface drainage and storm water harvesting will improve drainage from the site and will not see any change to the flood risk of the site.

No further investigation is deemed necessary.

The submission is accompanied by an Estuarine Risk Management Report prepared by Horton Coastal Engineering which confirms that the subject proposal will not result in any adverse impacts on the estuarine locality.

#### **Clause 7.6 – Biodiversity**

The subject site is noted as being within Council's biodiversity area.

The proposal will see the removal of a number of trees in order to accommodate the development, and is therefore accompanied by an Arboricultural Impact Assessment prepared by Bellevue Tree Consultants, Reference No. BGC9221, dated 18 March 2021. Replacement plantings are to be provided as detailed in the submitted report.

The additional plantings, together with the existing vegetation, will ensure that the natural landscape of the locality and site will be maintained.

#### **Clause 7.7 – Geotechnical Hazards**

The works are carried out in the portion of the site which is not affected by landslip and will not provide involved substantial excavation. As such, no further geotechnical investigations is considered to be

necessary in this instance.

There are no other clauses of the PLEP 2014 that are considered to be relevant to the proposed development.

## **6.4 Pittwater 21 Development Control Plan**

Council's Pittwater 21 DCP and Part D9 Mona Vale Locality Statement provide a range of outcomes and controls which form the primary criteria control for development within the subject locality.

### **6.5.1 Section A Introduction**

#### ***A4.9 Mona Vale Locality***

##### ***Desired Character***

*The Mona Vale locality will contain a mix of residential, retail, commercial, industrial, recreational, community, and educational land uses.*

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

*Retail, commercial and light industrial land uses will be employment-generating. The Mona Vale commercial centre status will be enhanced to provide a one-stop convenient centre for medical services, retail and commerce, exploiting the crossroads to its fullest advantage and ensuring its growth and prosperity as an economic hub of sub-regional status. The permissible building height limit is increased to promote economic growth within the centre. The Mona Vale Hospital, as a regional facility servicing the Peninsula, is an essential part of the future local economy.*

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

*Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.*

*The design, scale and treatment of future development within the Mona Vale commercial centre will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.*

*Light industrial land uses in Darley and Bassett Streets will be enhanced as pleasant, orderly, and economically viable areas.*

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

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

*Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. Improved public transport, pedestrian accessibility and amenity, carparking and an efficient surrounding local network will support the commercial centre, moving people in and out of the locality in the most efficient manner. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.*

It is considered that the proposal is consistent with the desired character of the locality by providing for stormwater harvesting and irrigation to the existing Bayview Golf Club with the works being sited at or below natural ground level and will not be visually prominent within the locality.

The available landscaped area will remain unchanged. The proposal will see the removal of a number of trees, and replacement plantings will be provided which ensures that the works maintain consistency with the landscaped setting of the locality.

#### **6.4.2 Section B General Controls**

The General Controls applicable to the proposed development are summarised as:

##### ***B3.1 Landslip Hazard***

The controls seek to achieve the outcomes:

*Protection of people. (S)*

*Protection of the natural environment. (En)*

*Protection of private and public infrastructure and assets. (S)*

A portion of the site is noted as AE Hazard H2 on Council's Geotechnical Hazard Map.

The works are being carried in a portion of the site which is not affected by landslip and as the proposal does not involve substantial excavation, no further geotechnical investigations considered to be necessary in this instance.

##### ***B3.6 Contaminated Land and Potentially Contaminated Land***

The controls seek to achieve the outcomes:

*Protection of public health. (S)*

*Protection of the natural environment. (En)*

*Successful remediation of contaminated land. (En, S)*

The site will maintain its existing use as a golf course and is not expected to be contaminated.

### **B3.11 Flood Prone Land**

The controls seek to achieve the outcomes:

*Protection of people.*

*Protection of the natural environment.*

*Protection of private and public infrastructure and assets.*

The site is identified as Low, Medium and High Risk on Council's Flood Prone Land Map, and as being within H3, H5 and H6 within Council's Land within Risk to Life Flood Category.

The proposed subsurface drainage and storm water harvesting will improve drainage from the site and will not see any change to the flood risk of the site.

No further investigation is deemed necessary.

The submission is accompanied by an Estuarine Risk Management Report prepared by Horton Coastal Engineering dated 1 August 2020 which confirms that the subject proposal will not result in any adverse impacts on the estuarine locality.

### **B4.13 Freshwater Wetlands (non Endangered Ecological Communities)**

The controls seek to achieve the outcomes:

*Wetlands in Pittwater are conserved and enhanced. (En)*

*The physical, chemical and biological processes of wetlands in Pittwater are improved, maintained or restored. (En)*

*The social and cultural values of wetland areas are conserved and enhanced. (S)*

*Biodiversity, ecological processes and other wetland values are conserved. (En)*

The proposal will improve the site's stormwater management, and will not adversely impact nearby wetlands.

The proposal is not considered to result in any adverse impacts on wildlife corridors. Native plantings will be provided in the form of replacement plantings.

### **B4.14 Development in the Vicinity of Wetlands**

The controls seek to achieve the outcomes:

*Development in the catchment of a wetland is to result in wetland conditions being maintained or enhanced (En)*

*The physical, chemical and biological processes of wetland habitats in Pittwater are improved, maintained or restored. (En)*

*The social and cultural values of wetland areas are conserved and enhanced (S)*

*Biodiversity, ecological processes and other wetland values are conserved (En).*

As previously discussed, the proposal will not adversely impact on wetlands or wildlife corridors. New native plantings are to be provided, and the majority of the existing vegetation on site will be retained.

**B4.15 Saltmarsh Endangered Ecological Community**

The controls seek to achieve the outcomes:

*To conserve and enhance saltmarsh vegetation. (En)*

The proposal is not considered to unreasonably impact on saltmarsh vegetation. Stormwater from the site will be suitably managed.

**B5.15 Stormwater**

The controls seek to achieve the outcomes:

*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;*

*Minimise the risk to public health and safety;*

*Reduce the risk to life and property from any flooding and groundwater damage;*

*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.*

*Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*

*Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*

*Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.*

The requirements outlined in the controls seek to limit the extent and quality of stormwater runoff. The proposed stormwater drainage arrangement will be substantially improved, thereby minimising the impact of runoff within the site and locality.

No water quality issues are anticipated.

**B8.1 Construction and Demolition – Excavation and Landfill**

The controls seek to achieve the outcomes:

*Site disturbance is minimised. (En)*

*Excavation, landfill and construction not to have an adverse impact. (En)*

*Excavation and landfill operations not to cause damage on the development or adjoining property. (S)*

The proposed works will be carried out in accordance with the recommendations of the consulting Structural Engineer. Appropriate soil and sedimentation measures will be implemented.

**B8.2 Construction and Demolition – Erosion and Sediment Management**

The controls seek to achieve the outcomes:

*Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)*

*Reduction of waste throughout all phases of development. (En)*

*Public safety is ensured. (S)*

*Protection of the public domain. (S, En)*

This clause requires that erosion and sediment controls are installed on site to prevent the migration of sediment to adjoining properties, roads or waterways. Appropriate erosion and sediment barriers will be installed prior to the commencement of any works on site as required.



### 6.4.3 Section C Development Type Controls

The Development Type Controls applicable to the proposed development are:

#### **C1.6 Acoustic Privacy**

The controls seek to achieve the outcomes:

*Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited. (S)*

*Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or recreation areas (S)*

The electric pumps, the only source of noise, are contained in concrete tanks. The tanks are approximately 250m away from the nearest dwelling house and will therefore not result in any acoustic privacy impacts.

#### **C5.1 Landscaping**

The controls seek to achieve the outcomes:

*A built form softened and complemented by landscaping. (En)*

*Landscaping reflects the scale and form of development. (En)*

*Retention of canopy trees by encouraging the use of pier and beam footings. (En)*

*Development results in retention of existing native vegetation. (En)*

*Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)*

*Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)*

*Landscaping enhances habitat and amenity value. (En, S)*

*Landscaping results in reduced risk of landslip. (En, Ec)*

*Landscaping results in low watering requirement. (En)*

The required controls to achieve the outcomes are to ensure that the development will provide for the reasonable retention and protection of the existing significant trees and to provide for locally occurring species within any proposed replanting of the site.

The proposal will see the removal of a number of trees in order to accommodate the development, and is therefore accompanied by an Arboricultural Impact Assessment prepared by Bellevue Tree Consultants, Reference No. BGC9221, dated 18 March 2021. Replacement plantings are to be provided as detailed in the submitted report.

The additional plantings, together with the existing vegetation, will ensure that the natural landscape of the locality and site will be maintained.

## **C5.2 Safety and Security**

The controls seek to achieve the outcomes:

*On-going safety and security of the Pittwater community. (S)*  
*Opportunities for vandalism are minimised. (S, Ec)*  
*Inform applicants of Council's requirements for crime and safety management for new development. (S)*  
*Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)*  
*Identify crime and safety priority areas in Pittwater LGA (S, Ec)*  
*Improve community safety and reduce the fear of crime in the Pittwater LGA (S)*  
*Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)*

The site maintains consistency with the CPTED principles.

## **C5.4 View Sharing**

The controls seek to achieve the outcomes:

*A reasonable sharing of views amongst dwellings. (S)*  
*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. (S)*  
*Canopy trees take priority over views. (En, S)*

The works are at or below existing ground level and will not result in any loss of views for surrounding residential development.

## **C5.8 Waste and Recycling Facilities**

The controls seek to achieve the outcomes:

*Waste facilities are accessible and convenient, and integrate with the development. (En)*  
*Waste facilities are located such that they do not adversely impact upon amenity of the land adjoining development or natural environment. (En, S)*

The required controls to achieve the outcomes are to ensure that adequate area remains for the storage of waste and recyclable materials.

The waste arrangements for the site remain unchanged.

#### 6.4.4 Section D Locality Specific Development Controls

The **D9 Mona Vale Locality Statement** contains a number of outcomes for development. The proposal has been assessed in regard to the Locality Statement and is summarised in the following table.

In support of the proposal, it is considered that this proposal is well designed, comprehensive and consistent with the community's vision for development in Pittwater in that it is:

- Proposing a form of development which is compatible with the existing residential character of the area by maintaining an appropriate development scale which is compatible with the vicinity.
- The proposal maintains the existing soft landscaped area. There will not be any adverse siltation or water pollution impacts on the general drainage system of the area or to local waterways.
- The development will not place additional demands on local infrastructure or on the sewage disposal system for the site.

A summary of the DCP controls for the **D9 Mona Vale Locality** is provided below:

##### **D9.1 Character as viewed from a public place**

The control seeks to achieve the outcomes:

*To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment. (En, S, Ec)*

*To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*

*The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)*

*High quality buildings designed and built for the natural context and any natural hazards. (En, S)*

*Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)*

*To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.*

*To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.*

*To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)*

The required controls to achieve the outcomes are to ensure that development maintains a compatibility with the locality through appropriate design relief including roof forms textures, materials, the arrangement of windows modulation, spatial separation, landscaping etc.

The proposed works are sited at or below ground level and will not see any change to the character of the site.

#### **D9.6 Front Building Line**

The controls seek to achieve the outcomes:

- Equitable preservation of views and vistas to and/or from public/private places. (S)*
- The amenity of residential development adjoining a main road is maintained. (S)*
- Vegetation is retained and enhanced to visually reduce the built form. (En)*
- Vehicle manoeuvring in a forward direction is facilitated. (S)*
- To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*
- To encourage attractive street frontages and improve pedestrian amenity.*
- To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

The proposal provides for stormwater infrastructure only, and will not see any change to the existing front building line or the setbacks of any structures to the primary frontages to the public roads..

#### **D9.7 Side and rear building line**

The controls seek to achieve the outcomes:

- To achieve the desired future character of the Locality. (S)*
- The bulk and scale of the built form is minimised. (En, S)*
- Equitable preservation of views and vistas to and/or from public/private places. (S)*
- To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*
- To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)*
- Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)*
- Flexibility in the siting of buildings and access. (En, S)*
- Vegetation is retained and enhanced to visually reduce the built form. (En)*
- To ensure a landscaped buffer between commercial and residential zones is established.*

The proposal provides for stormwater infrastructure only, and will not see any change to the existing side and rear building lines.

#### **D9.13 Fences – Flora and Fauna Conservation Areas**

The controls seek to achieve the outcomes:

- To achieve the desired future character of the Locality. (S)*
- An open streetscape that allows casual surveillance of the street. (S)*
- Fences, where provided, are suitably screened from view from a public place. (S)*
- Safe and unhindered travel for native animals. (En)*
- To ensure fences compliment and conserve the visual character of the street and neighbourhood.*

*To define the boundaries and edges between public and private land and between areas of different function.*

*To contribute positively to the public domain.*

*To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)*

*To ensure heritage significance is protected and enhanced. (S)*

*To ensure an open view to and from the waterway is maintained. (S)*

*To ensure native vegetation is retained. (En)*

*To ensure any fencing provides for the safe and unhindered travel of native animals. (En)*

No new fencing is provided.

**7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979**

**7.1 The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

**7.2 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**

There are no draft instruments applicable to the proposal.

**7.3 Any development control plan**

The development has been designed to comply with the requirements of Council's Pittwater 21 Development Control Plan 2014.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

**7.4 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**

No matters of relevance are raised in regard to the proposed development.

**7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),**

No matters of relevance are raised in regard to the proposed development.

**7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the proposal, which seeks consent for stormwater harvesting and irrigation to the existing Bayview Golf Club which will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 & the Pittwater 21 DCP and the Church Point and Bayview Locality.

### **7.7 The suitability of the site for the development**

The subject land is currently zoned RE2 Private Recreation under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

The subject site does not exhibit any significant constraint to the construction of the proposed development.

### **7.8 Any submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of this proposal.

### **7.9 The public interest**

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

The proposed residential use of the land also sees the economic and orderly use of the land to provide for additions to the dwelling, which will be designed and constructed in an environmentally friendly and sustainable manner, to the benefit of the wider community.

### **8.0 Conclusion**

The principal objective of this development is to provide for stormwater harvesting and irrigation to the existing Bayview Golf Club.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls and reinforce the residential character of the area.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

### **VAUGHAN MILLIGAN**

Town Planner

Grad. Dip Urban & Regional Planning (UNE)