

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR A LANDSCAPING MATERIALS SUPPLY YARD**

**LOCATED AT**

**4 HARVEY ROAD, INGLESIDE**

**FOR**

**GRANT, LYNELLE & SHANNON ADAMS**

**Prepared  
May 2022**

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## 1.0 Introduction

This Statement of Environmental Effects accompanies architectural details prepared by JJ Drafting on behalf of Shannon & Grant Adams, Job No. 916/21, Sheets DA 01 – DA05, Revision C dated June 2021 and revised 11 October 2021 to detail a proposed landscaping materials supply yard at **4 Harvey Road, Ingleside.**

The site is currently the subject of Land and Environment Court Proceedings (Case Number 2021/00060586) in relation to a Stop Use and Restore Works Order (EPA2020/0286) issued by Northern Beaches Council for the use of the site as a truck depot for the storage of machinery and requiring restoration of the site as a result of clearing works carried out within the property.

This proposal intends to seek consent for the use of the site as a landscape material supply yard, with all other unauthorised land-use to cease and the proposal includes a Vegetation Management Plan to provide a Rehabilitation Plan to address the Restore Works Order.

Development Application 2021/1939 – PAN-155327 was lodged in October 2021 and returned the request for Council for further including:

1. *Acoustic report*
2. *Bushfire Hazard Assessment Report*
3. *Waste Management Plan/Report (considered in Part 5 of this SEE)*
4. *Boundary Identification Survey - signed by the registered surveyor.*

This information has been prepared and is included with this Development Application Submission.

To assist Council in considering the application, the following information is provided:

- *Architectural Plans prepared by JJ Drafting, Job No 916/21, Sheets DA.01 – DA.05 dated June 2021 and as revised 11 October 2021*
- *Survey Plan prepared by DP Surveying, Reference No 3377, Sheets 1 & 2 dated 27 May 2021 (signed by registered surveyor)*
- *Vegetation Management Plan prepared by Australian Bushland Restoration*
- *Traffic and Parking Impact Assessment prepared by Transport and Traffic Planning Associates, Reference No 21256, Issue A dated September 2021*
- *Concept Stormwater Management Plan and Details prepared by the Peninsula Consulting Engineers, Job No 21-0803, Sheets H01 – H04 dated 16 September 2021*
- *Operational Noise Emission Assessment prepared by Acoustic Dynamics, dated 22 April 2022*
- *Bush Fire Assessment Report prepared by Bushfire Consultancy Australia, Report No 4HAR-01 dated 12 April 2022*

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

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 (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan 2014*

## **2.0 Property Description**

The subject allotment is described as 4 Harvey Road, Ingleside, being Lot 169 within Deposited Plan 866452 and Lot A within Deposited Plan 752046 and is zoned RU2 Rural Landscape under the Pittwater Local Environmental Plan 2014.

The site is noted as being within the Class 5 Acid Sulfate Soils Area and as there is no major disturbance proposed to the current site levels, no further investigation is considered to be necessary. The site is identified as Bushfire Prone Land and a report can be provided if required by Council.

## **3.0 Site Description**

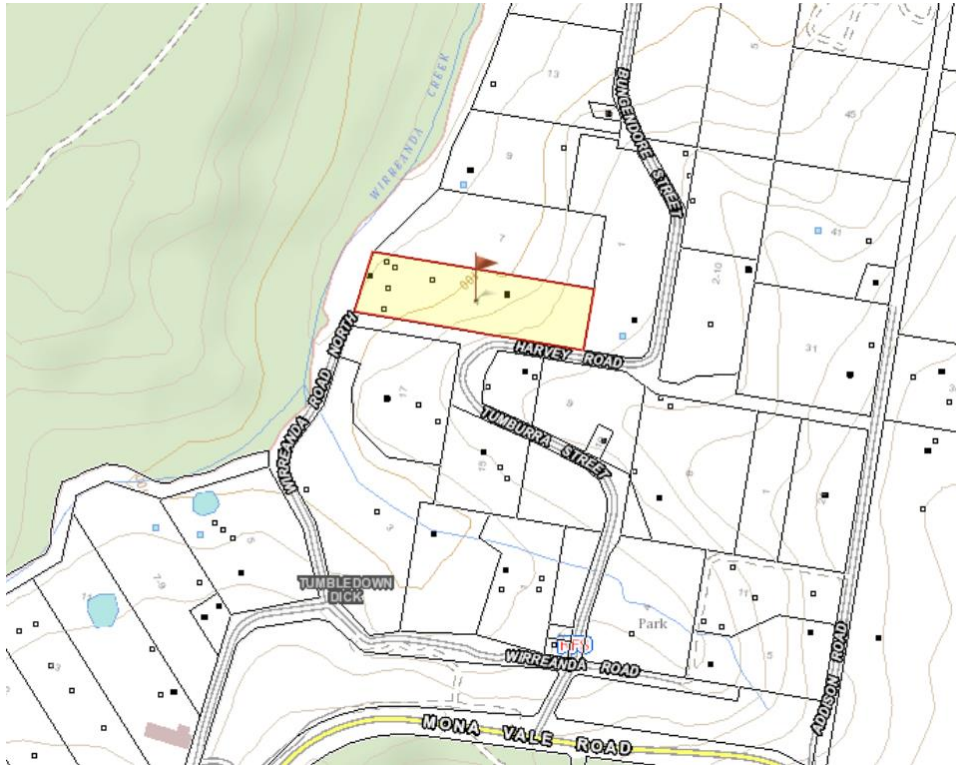
The site is located on the north-western side of Harvey Road, with a secondary, western frontage to Wirreanda Road North.

The site is rectangular in shape with frontages to Harvey Road and the unmade portions of Harvey Road and Wirreanda Road North. The total site area is 2.914ha.

The site is currently developed with a single dwelling and a range of outbuildings. The western, lower portion of the site has previously been utilised as a retail plant nursery. Access to the nursery area was via Wirreanda Road North.

The eastern, upper portion of the site has driveway access from Harvey Road and is currently used as a parking area for the owner's vehicles associated with an excavation & earthmoving business which is to cease operating from the site.

The details of the lots which comprise the parcel are contained within the survey report prepared by DP Surveying, Reference No. 3377, dated 4 October 2020 which accompanies the DA submission.



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



**Fig 2: View of site entry from Harvey Road, looking north**



**Fig 3: View of the access to the western end of the site from Wirrenada Road North, looking north**

#### 4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of low density residential, commercial and rural land uses, the design of which retains a dominance of natural features and vegetation.

The subject site will retain the existing residential use, with the proposed low scale landscaping materials supply yard being located at the north-eastern corner of the site.

Immediately to the north-west of the site, on the farther side of King Road are green houses and other commercial uses.



**Fig 4: Aerial Photograph**  
(Source: Six Maps)

## 5.0 Proposed Development

As detailed within the accompanying plans, the proposal seeks consent for the use of the eastern portion of the site as a landscaping materials supply yard. The materials to be sold from the site will primarily involve excavated stone and rock material recovered from other properties, which will be stored, sorted and resold from the premises.

The proposed use will operate within the following hours:

Monday – Friday	7am-5pm
Saturday	7am-4pm

It is anticipated that the proposed operation will employ a maximum of three employees, of which two employees reside within the site. As the proposed business would be by appointment only, it is expected that would be a maximum of two employees on site at any time.

The operational characteristics of the proposed use are summarised as:

- Three employees, with a maximum two employees on site at any one point in time;
- Maximum of one customer on site at any given time by appointment only;
- On- site truck parking to accommodate up to 3×12.5 tonne heavy rigid vehicles;
- On-site customer parking in front of the property to accommodate:
  - Up to 6 cars and/or utes; or
  - 2 cars and/or utes and two cars and/or use with trailers;
- On-site employee parking in front of the residential dwelling

Given the opportunity to manage customer numbers through the appointment process, it is anticipated that would be an average of one customer per day with a maximum of three per day, spread to ensure there is a maximum of one customer on-site at any time.

No additional signage is proposed.

The proposed landscaping materials supply yard is well removed from the existing residential use within the site.

WC facilities are available within the site for the use of the staff, which as noted will provide for a maximum of two staff during work hours.

The proposed use will continue to maintain vehicle access via the existing driveway from Harvey Road which provides access to the existing dwelling allow for deliveries & customer access the proposal is that materials supply yard.

As discussed within the Traffic and Parking Impact Assessment, parking is available for customers at the front the property, which can accommodate up to 6 cars/utes or two cars/utes and with 2 cars/utes with trailers, with additional parking within the land Materials yard, which one heavy rigid vehicle.

Parking for the employees who reside within the site is provided in front of the residential dwelling.



No further site disturbance or clearing of vegetation is required for the proposed use.

A Vegetation Management Plan has been prepared by Australian Bushland Restoration P/L which is intended to address Council order for the site to be restored and rehabilitated.

The VMP provides for weed management, regeneration of the native vegetation and supplementary native plantings over local provenance material as appropriate.

The proposed site rehabilitation will be supervised by the consulting ecologist – Australian Bushland Restoration P/L.

The existing sedimentation and siltation control measures will be upgraded to prevent soil transfer from the site. These measures will be retained and maintained to remain as an effective barrier for the site and are detailed within Sheet DA.05.

A concept Stormwater Management Plan has been prepared by Peninsular Consulting Engineers, Job No 21-0803, Drawings H01 – H04 dated 21 September 2021 to provide for the collection of stormwater run-off from the disturbed portion of the site associated with the proposed landscape material supply yard, which will be directed to the existing watercourse within the site.

An Operational Noise Emission Assessment has prepared by Acoustic Dynamics, dated 22 April 2022 and notes in Part 6 that the noise emission resulting from the use and operations the proposed development is predicted to comply with the relevant noise emission criteria of Northern Beaches Council, the New South Wales EP and federal legislation.

The proposed use will be carried out in accordance with the recommendations and advice contained within Part 7 of the Noise Emission Assessment, including the recommended Best Management Practice and Noise Management Plan and Vehicle Management Procedures.

## 6.0 Zoning and Development Controls

### 6.1 State Environmental Planning Policy (Resilience and Hazards) 2021

#### Chapter 4 – Remediation of Land

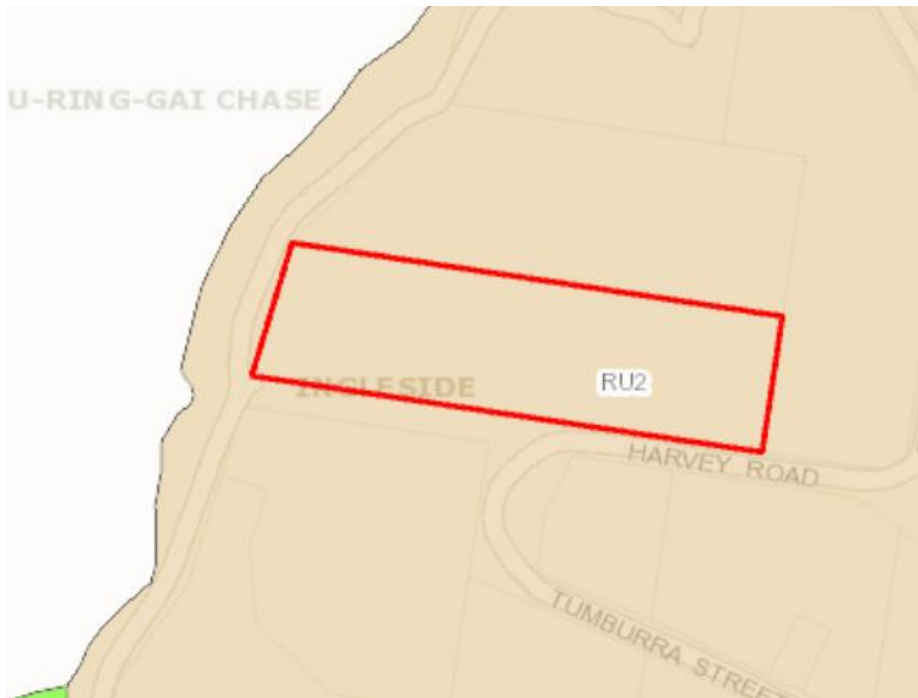
Chapter 4 – Remediation of Land and in particular Clause 4.6 suggests that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land and also that the proposed use is being carried out in an undisturbed portion of the site, the site is not considered to be subject to contamination and further investigation is not required at this stage.

### 6.2 Pittwater Local Environmental Plan 2014

#### Clause 2.2 Zone objectives and Land Use Table

The site is zoned RU2 Rural Landscape under the provisions of the PLEP 2014.



**Fig 5: Extract of Pittwater Local Environmental Plan 2014 zoning map**

The proposed landscaping materials supply yard is located within the eastern portion of the site, which is zoned RU2 Rural Landscape, and is considered to be permissible with the consent of Council.

The continued separate use of the existing dwelling and the proposed landscaping materials supply use are both permissible uses in the RU2 Rural Landscape Zone.

The proposed use is consistent with the zone objectives, which are noted as:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

It is considered that the studio is consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will provide for a landscaping materials supply use encourages resource re-use and is therefore consistent with the zone objective to enhance the natural resource base.
- The proposed development does not involve any structures and respects the scale and form of other new development in the vicinity and therefore complements the locality and maintains the rural landscape character of the land.
- The proposed landscaping material supply yard will provide services to the local residents and complements the surrounding rural land uses

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

The maximum building height in this portion of Ingleside is 8.5m.

The proposed use will not involve the construction of additional structures. The existing storage container is within the site which are utilised as the site office have a maximum height of 2.9m with a length of 6 m.

#### **Clause 5.9 – Preservation of trees or vegetation**

The proposed landscaping materials supply use is within an existing cleared portion of the site and will not require the removal of any significant vegetation.

Existing sedimentation and siltation control measures are in place to prevent soil transfer from the site. These measures will be retained and maintained to remain as an effective barrier for the site.

Additionally, a Vegetation Management Plan has been prepared by Australian Bushland Restoration P/L which provides for the managed restoration and rehabilitation of the site and the naturally occurring vegetation to ensure that local habitat is protected and preserved.

#### **Clause 5.10 – Heritage Conservation**

The site is not noted as containing any heritage items or be within the vicinity of heritage items.

#### **Clause 7.1 – Acid Sulfate Soils**

The site is identified as being within an area affected by Acid Sulfate Soils (Class 5). The proposal does

not involve any further excavation or site disturbance to accommodate the use, and it is therefore not anticipated that any acid sulfate soils will be disturbed.

**Clause 7.2 – Earthworks**

No further excavation or substantial site disturbance is required for the operation of the proposed landscaping materials supply use.

The site will be otherwise be undisturbed.

**Clause 7.6 – Biodiversity Protection**

The proposed landscaping materials supply use is within an existing cleared portion of the site and will not require the removal of any significant vegetation or tree cover.

Existing sedimentation and siltation control measures are in place to prevent soil transfer from the site. These measures will be retained and maintained to remain as an effective barrier for the site and have been detailed within Sheet DA.05 prepared by JJ Drafting.

As discussed, the proposed Vegetation Management Plan will provide for the rehabilitation of the site through weed management, regeneration of the native vegetation and supplementary native plantings.

### 6.3 Pittwater 21 Development Control Plan

Council's Pittwater 21 DCP and Section D6 Ingleside Locality Statement provide a range of outcomes and controls which form the primary criteria control for development within the subject locality.

#### 6.3.1 Section A Introduction

##### **A4.6 Ingleside Locality**

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

*The Ingleside locality will remain a low-density area consisting of rural residential, agricultural, horticultural and other permissible development on large lots in a natural landscaped setting, integrated with the landform and landscape. The high visual significance of the escarpment will be maintained, and development limited on this land. Development will also be limited in the "blue-hatched Area" due to a lack of infrastructure and small lot sizes. Community and recreational facilities will serve the community.*

*Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport. Currently, few of these services exist, and development for anything other than a dwelling house will need to ensure that these services can be provided to the site. Care will need to be taken with future developments to ensure that outbuildings and ancillary recreational structures do not dominate the natural landscape and bushland setting.*

*Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Single storey buildings will be preferred where the site has little opportunity for canopy trees or is visually prominent. Existing and new native vegetation, including canopy trees, will be integrated with the development. Development shall maintain generous spatial separation of the built form and low site coverage on large lots. 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.*

*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. Fencing where provided, shall enable the native fauna to pass through yet contain livestock animals where needed.*

*Heritage items and conservation areas indicative of the Guringai Aboriginal people, of early settlement, entrepreneurial and farming history in the locality, and the Baha'i House of Worship, will be conserved.*

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

It is considered that the proposed use of the land as a landscaping materials supply yard which will be removed from any neighbouring dwellings or other business uses is consistent with the desired character of the locality.

The development will continue to be compatible with the low density scale of the area and will not be visually prominent within the Ingleside locality.

The existing vegetation on site is maintained, with no further clearing of the site's vegetation required.

### **6.3.2 Section B General Controls**

The General Controls applicable to the proposed use as a landscaping materials supply yard are summarised as:

#### **B3.2 Bushfire 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. (Ec)*

The proposal will not involve further site disturbance of the construction of additional structures. The material sold from the site will not involve flammable products.

A Bush Fire Assessment Report has been prepared by Bushfire Consultancy Australia under Report No. 4HAR-01 dated 12 April 2022.

The proposed development will be carried out in accordance with the recommendations within the Bush Fire Assessment Report.

#### **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 proposed use is to be carried out within the boundaries of the allotment and will not require any further clearing of existing vegetation. Given the proposed use will be carried out largely within the existing disturbed footprint, it is suggested that there will be no further impact on wetlands or the existing planting within the site.

The proposal is supported by a Vegetation Management Plan prepared by Australian Bushland Restoration P/L which will provide for the rehabilitation of the site and its native vegetation in accordance with Council's Order.

**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 discussed, the proposed use is to be carried wholly within the site and is considered that there will not be any direct impacts on the adjoining wetlands. Sedimentation and erosion control measures will be provided to ensure that no materials are transferred from the site to the surrounding area.

A Stormwater Concept Plan has been prepared by the Peninsula Consulting Engineers to provide for the collection of stormwater direction to the existing watercourse, with energy dissipated and headwalls provided to ensure that no scouring of the watercourse occurs as a result of the works.

**B4.15 Saltmarsh Endangered Ecological Community**

The controls seek to achieve the outcomes:

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

As discussed, the proposed use will be contained wholly within the site and appropriate measures provided to ensure that sedimentation or erosion of the surrounding properties does not result from the proposed use.

**B4.18 Heathland/Woodland Vegetation**

The controls seek to achieve the outcomes:

*Conservation of intact heathland. (En)*

*Regeneration and/or restoration of fragmented and / or degraded heathland. (En)*

*Reinstatement of heathland to link remnants. (En)*

*Long-term viability of locally native flora and fauna and their habitats in the Pittwater LGA through conservation, enhancement and/or creation of habitats and wildlife corridors. (En)*

*Long-term sustainability of hanging swamps and other wetlands (En).*

The proposal does not seek to remove any significant vegetation, and will not result in any adverse impacts on heathland.

The Vegetation Management Plan prepared by Australian Bushland Restoration P/L will ensure that the native vegetation within the site rehabilitated, with weed management and further supplementary planting of native provenance to enhance the local habitat.

#### **B5.8 Stormwater Management – Water Quality – Low Density Residential**

The controls seek to achieve the outcomes:

*No increase in pollutants discharged with stormwater into the environment. (En)*  
*Development is compatible with Water Sensitive Urban Design principles. (En)*

The run-off from the area utilised for the proposed landscape materials supply yard will be collected and directed to the existing watercourse as detailed within the Concept Stormwater Management Plans prepared by Peninsula Consulting Engineers.

#### **B6.5 Off-Street Vehicle Parking Requirements – Low Density Residential**

This control seeks to achieve the outcome:

*Safe and convenient parking. (S)*

Suitable area is available within the site for the parking requirements of the workers and for customers visiting the site, together with area for truck movements to allow vehicles to enter and leave the site in a forward direction.

A comprehensive Traffic and Parking Impact Assessment has been prepared by Transport and Traffic Planning Associates, Report Reference 21256, Issue A dated September 2021 which provides an analysis of the surrounding road network, together with assessment of the impact of the proposed use and the provision parking and vehicle movement within the site.

The Conclusion to the assessment notes:

*The traffic, transport and parking assessment provided in this report confirms that the proposed landscaping supplies business at 4 Harvey Road, Ingleside:*

- ❖ the traffic generation of the proposed development will not present any adverse traffic implications and traffic-related environmental impacts*
- ❖ the proposed parking provision will be adequate to accommodate the projected additional peak parking demand and operation of the proposed development*
- ❖ the proposed parking will be in accordance with AS2890.1 and 2*
- ❖ the existing vehicle access on Harvey Road will remain suitable and appropriate for the proposed development*
- ❖ the existing vehicle access on Harvey Road is generally in accordance with AS2890.1 and 2 as well as safe and functional for its intended use*
- ❖ the existing internal circulation is in accordance with the current AS2890.1 and 2 design standards*
- ❖ the existing servicing arrangements are suitable*



### 6.3.3 Section C Development Type Controls

The Design Criteria applicable to the proposed landscape materials supply yard are summarised as:

#### **C2.1 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)*
- agent if you want 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 does not seek the removal of any significant vegetation. The site will retain the existing landscaping within the front and rear yards.

As discussed, a comprehensive Vegetation Management Plan has been prepared by Australian Bushland Restoration P/L to provide for the rehabilitation of the site to preserve and supplement the existing native vegetation and provide for a weed management regime to enhance the local habitat.

#### **C2.2 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's entry will continue to allow for casual surveillance of persons entering the site and the street area.

### **C2.5 View Sharing**

The controls seek to achieve the outcomes:

*A reasonable sharing of views from public places and living areas. (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 required controls to achieve the outcomes are to ensure that building sight lines and building positioning and height maintain reasonable view sharing for neighbouring properties. The site and the surrounding properties enjoy a view to the west.

The proposal will not involve the construction of additional structures and therefore will not result in any adverse impact on the views and outlook for neighbouring properties.

### **C 2.9 Waste and Recycling Facilities**

The controls seek to achieve the outcomes:

*Waste and recycling facilities are accessible and convenient, and integrate with the development. (En)*

*Waste and recycling facilities are located such that they do not adversely impact upon amenity of the 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 from the proposed operation will be removed via an approved contractor. Appropriate sedimentation and erosion control measures will be provided to ensure that no materials are transferred to any adjoining sites.

### **C2.10 Pollution Control**

The controls seek to achieve the outcomes:

*Development that does not adversely impact on public health, the environment or other lands. (S, E)*

The reuse will provide for this appropriate sedimentation and erosion control measures to ensure that landscape materials within the supply bins are not transferred to any surrounding properties.

The proposed sedimentation measures have been included within the architectural plans prepared by JJ Drafting – See Sheet DA.05.

### 3.4 Section D Locality Specific Development Controls

The **D6 Ingleside 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:

- 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 stormwater runoff from the development is directed to the existing system. 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 **D6 Ingleside Locality** is provided below:

#### **D6.1 Character As Viewed From A Public Place**

The control seeks to achieve the outcomes:

*To achieve the desired future character of the Locality.*

*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 scale 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'.*

*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 the building 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 subject application seeks consent for a landscape materials supply yard, with no further structures to be provided. Given that the works are not visible from any public place, the proposal is not considered to present any adverse visual impacts to the surrounding locality.

### **D6.3 Building colours and materials**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality.*

*The development enhances the visual quality and identity of the streetscape. (S)*

*To provide attractive building facades which establish identity and contribute to the streetscape.*

*To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.*

*The colours and materials of the development harmonise with the natural environment. (En, S)*

*The visual prominence of the development is minimised. (S)*

*Damage to existing native vegetation and habitat is minimised. (En)*

The required controls to achieve the outcomes are to ensure that the external colours and materials shall be dark and earthy tones as indicated within the DCP.

The proposal will not involve the construction of any additional outbuildings.

**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 draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

There are no draft instruments applying to the land.

**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 rural character of the area and is compatible with the existing uses in the vicinity.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site and which will make a positive contribution to the area.

**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.**

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 the use of a portion of the site as a landscape supplies yard, 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 Ingleside Locality Statement.

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

The subject land is currently RU2 Rural Landscape under the Pittwater Local Environmental Plan 2014 and is considered suitable for the proposed development.

There is no significant constraint to the use of the site as the proposed landscape materials supply yard.

### **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 unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered not to be contrary to the public interest.

### **8.0 Conclusion**

The principal objective of this development is to provide for the use of a portion of the existing site as a landscape materials supply yard.

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

The existing truck depot and storage of associated equipment in the property will cease operating from the site.

The proposed use will replace this area and consistent with the Vegetation Management Plan prepared, will see the rehabilitation of the site's native vegetation with further supplementary planting and weed control to re-establish the site's contribution to the local habitat.

The proposal will be carried out in accordance with the recommendations within the operational management practices recommended in the acoustic assessment and bushfire hazard reports which accompany the submission.

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.

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