

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR THE PROPOSED CONSTRUCTION OF STORAGE SHED &  
UNCOVERED HORSE ARENA & ASSOCIATED WORKS**

**LOCATED AT**

**4 HARVEY ROAD, INGLESIDE**

**FOR**

**SHANNON ADAMS**



**Prepared  
May 2024**

## TABLE OF CONTENTS

1.0	Introduction .....	3
2.0	Property Description .....	3
3.0	Site Description .....	4
4.0	The Surrounding Environment.....	8
5.0	Proposed Development .....	9
6.0	Zoning and Development Controls .....	10
6.1	State Environmental Planning Policy (Resilience and Hazards) 2021.....	10
6.2	State Environmental Planning Policy (Biodiversity and Conservation) 2021 .....	10
6.3	State Environmental Planning Policy (Sustainable Buildings) 2022 .....	10
6.4	Bushfire Prone Land .....	10
6.5	Pittwater Local Environmental Plan 2014 .....	11
6.6	Pittwater 21 Development Control Plan 2014 .....	14
6.6.1	Shaping Development – Desired Character .....	14
6.6.2	Section B General Controls .....	16
6.6.3	Section C Development Type Controls .....	19
6.6.4	Section D Design Criteria.....	23
7.0	Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979 .....	27
7.1	The provisions of any environmental planning instrument .....	27
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 .....	27
7.3	Any development control plan.....	27
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.....	27
7.5	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), .....	27
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. ....	27
7.7	The suitability of the site for the development.....	28
7.8	Any submissions made in accordance with this Act or the regulations .....	28
7.9	The public interest.....	28
8.0	Conclusion.....	28

## 1.0 Introduction

This Statement of Environmental Effects accompanies details prepared on behalf of Shannon Adams by Roost Architecture, Drawings No's. 001-003, 100-102, 200-201 dated 10 May 2024 to detail the proposed construction of alterations and additions on land at **4 Harvey Road, Ingleside**.

The proposed works will provide for the construction of a storage shed, uncovered open horse arena and associated landscaping together with the installation of a new aerated wastewater treatment system.

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 (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental planning Policy (Sustainable Buildings) 2022*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan*

## 2.0 Property Description

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

The site has been identified as being within a Biodiversity Zone as mapped within the Pittwater Local Environment Plan (LEP) 2014. This matter will be discussed further within this submission.

The site is also identified as being Class 5 Acid Sulfate Soils Area and this will be discussed in further detail within the report.

The site has been identified on Council's Bushfire Prone Land Map and a Bushfire Risk Assessment has been prepared by Bushfire Consultancy Australia, dated Report 4HAR-02 dated 27 March 2024 and submitted with this submission. This report will be discussed in detail within the report.

There are no other identified hazards affecting the land.

### 3.0 Site Description

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

The site is rectangular in shape and has frontages to Harvey Road and the unmade portions of Harvey Road and Wirreanda Road North. The total existing site area is 2.914ha (by survey).

The site has undulating topography from the north-east corner to the north west corner of over 35m.

The land is currently developed with an existing two storey dwelling and a range of outbuildings. The site is accessed via Harvey Road with parking provided within the carport area.

The western, lower portion of the site has previously been utilised as a retail plant nursery (DA85/470). Access to the historical nursery area was via Wirreanda Road North. The eastern upper portion of the site has driveway access via Harvey Road and is currently used as a parking area for the owner's vehicles.

The details of the existing site levels are indicated within the Survey Plan prepared by DP Surveying, Reference No 3377, Sheets 1 & 2 dated 31 August 2023.



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



**Fig 2: View of the driveway entry to the site, looking north from Wirreanda Road North**



**Fig 3: View of the location of the proposed shed and horse arena (existing shed to be removed), looking north**



**Fig 4: View looking east along the northern boundary of the site (existing shed to be removed to RHS of view)**



**Fig 5: View looking south over the location of the proposed shed and uncovered horse arena**



**Fig 6: View looking northeast towards the location of the uncovered horse arena**

#### 4.0 The Surrounding Environment

The general vicinity of the site is characterised by rural, low density residential and commercial developments, retaining a dominance of natural features and vegetation. The surrounding sites also have a number of large, detached sheds, garages and farm buildings ancillary to the main dwelling on the land as indicated on the aerial photograph.



**Fig 7: Aerial Photograph**  
(Source: Six Maps)



## 5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks approval for the construction of alterations and additions and will include the demolition of some minor structures.

The proposed works will comprise:

- Demolition of existing shed in northwest corner of the property
- Level western end of property to height of second retaining wall (approx. RL 97.90)
- Construct new shed in northwest corner (50m x 20m)
- Construct hardstand to the south of shed
- New outdoor horse arena to the south of shed / hardstand
- Installation of a new aerated wastewater treatment system and associated absorption beds

No lighting or tree removal is proposed as part of this application.

The indices for the proposal are summarised as:

Site Area:	2.914ha <sup>2</sup>
Required soft landscaped area: 96% of 29140m – 400m <sup>2</sup>	27574.4m <sup>2</sup>
Proposed soft landscaped area:	27457.4m <sup>2</sup> (See DCP discussion)

The proposed shed and horse arena are ancillary to the existing dwelling house. The horse arena and shed are proposed exclusively for private use by the landowner/occupier, with the shed to be utilised for the parking of vehicles and maintenance equipment for the site.

Horse training and caring facilities is common within and a characteristic of Ingleside. The additional built form is designed to minimise its environmental impacts with the horse arena and shed to be located within the rear of the site within a designated cleared area.

The area is strategically positioned to ensure any minor noise generated is away from the adjoining properties. The proposed structures are well below the maximum permissible building height and comprise varying roof forms including a slanted and roof.

In summary, the proposal facilitates the orderly use of the rural land and provides a horse facility which is representative of development within the locality. The new shed and horse arena are considered acceptable and will have minimal, if any, impact on the residential development nearby.

The design, materiality and existing landscaping mitigate visual and acoustic amenity impacts resulting from the private use of the facility.

## **6.0 Zoning and Development Controls**

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

#### Chapter 4 – Site Contamination

SEPP (Resilience and Hazards) 2021 and in particular Clause 4.6(2) 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 new shed is being carried out in a disturbed portion of the site with no real excavation, 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 (Biodiversity and Conservation) 2021**

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation. The site is mapped within the allowable clearing map. No vegetation is proposed to be removed as part of the proposed development.

Therefore, as the proposed development does not require the removal of significant prescribed trees or vegetation, nor is it likely to impact on nearby biodiversity values, meaning no further consideration under the SEPP is required.

In total, forward trees are to be removed however 2 trees (T7 & T24) have been identified as being of low retention value the other trees to be removed (T4 & T10) are noted as being exempt non-prescribed trees.

### **6.3 State Environmental Planning Policy (Sustainable Buildings) 2022**

SEPP (Sustainable Buildings) 2022, commenced on 1 October 2023 and applies to the proposed development. In accordance with the provisions of the SEPP, a BASIX Certificate is not required to be submitted with the application.

### **6.4 Bushfire Prone Land**

The site is classified as bush fire prone land. Section 4.14 of the Environmental Planning and Assessment Act 1979 requires the consent authority to be satisfied that the development conforms to the specifications and requirements of the *Planning for Bush Fire Protection 2019*.

A Bush Fire Report is submitted with the application prepared by Bushfire Consultancy Australia, dated 27 March 2023 stating that the development conforms to the relevant specifications and requirements within *Planning for Bush Fire Protection 2019*.

## 6.5 Pittwater Local Environmental Plan 2014

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



**Fig 8: Zoning extract – Pittwater LEP 2014**

The proposed development is located within the RU2 Rural Landscape zone.

The works are consistent with the RU2 Rural Landscape 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 proposed construction of alterations and additions will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal provides for ancillary development which will be consistent with and complement the existing detached style housing within the Ingleside rural locality.
- The proposed development respects the scale and form of other similar development in the vicinity and therefore consistent with the locality. The proposal provides for a new shed which will not have any substantial impact to the neighbouring properties or surrounding public places.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any impact on long distance views.

**Clause 4.3** relates to building height.

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

The proposal provides for a maximum building height of up to 8.46m above the natural ground level and therefore complies with Council's control.

**Clause 5.9** relates to the Preservation of trees or vegetation

The proposed shed and horse arena is within an existing cleared portion of the site and will not require the removal of any significant vegetation. Sedimentation and siltation control measures are to be undertaken during the proposed works in order to minimise impact to the surrounding bushland to ensure that local habitat is protected and preserved.

The submission is accompanied by an Arboricultural Impact Assessment Report prepared by RainTree Consulting, Reference No. 3824, dated 22 May 2024. The Assessment notes that for trees will be removed however they are all of either low retention value or exempt nonprescribed trees.

No significant or protected trees will be affected by the proposed works.

**Clause 7.1** relates to acid sulfate soils. The site has been identified as Class 5. The proposal will require minor works to level the site for the proposed works. The works will be supervised by the Consulting Structural Engineer. Appropriate erosion and sediment control measures will be put in place. It is not anticipated that any acid sulfate soils will be encountered.

**Clause 7.2** relates to earthworks. The proposal will require some excavation for site leveling for the construction of the proposed new works.

All works will be carried out under the guidance of the consulting Structural and Geotechnical Engineers and will therefore satisfy the provisions of this clause.

**Clause 7.6** relates to biodiversity protection.

The land is noted within Council's Biodiversity mapped area.

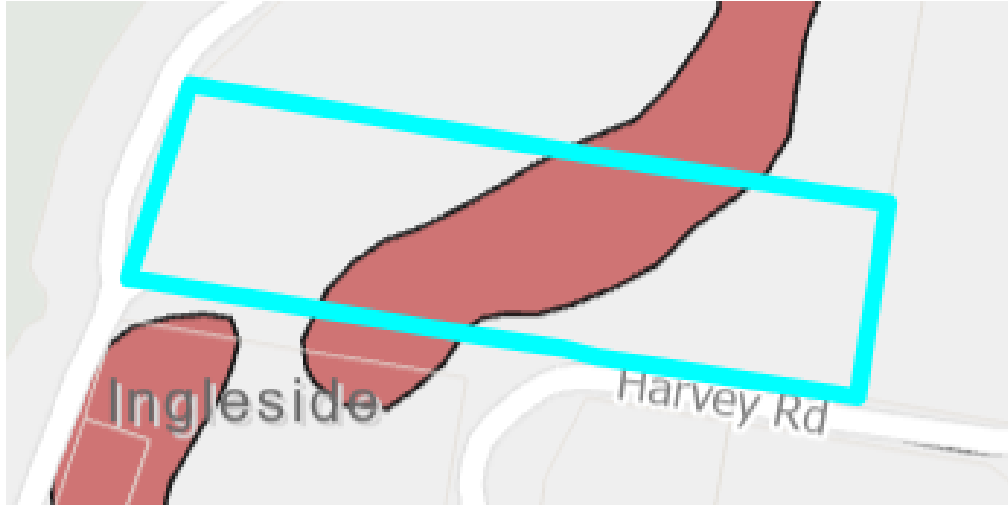
- (1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:*
- (a) protecting native fauna and flora, and*
  - (b) protecting the ecological processes necessary for their continued existence, and*
  - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

The proposal retains existing trees on the site and does not impact any existing significant trees in close proximity to the proposed shed or horse arena.

It is considered that the development will achieve the Objectives of Clause 7.6.

**Clause 7.7** relates to geotechnical hazards.

The site has an area identified as 'W Hazard H1' on Council's Geotechnical Map.



**Fig 9: Zoning extract – Pittwater LEP 2014**

However, the works are to be located well outside this mapped area meaning a Geotechnical Investigation is not required.

The proposed horse arena and shed is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development as construction will be carried out in accordance with good engineering and building practice, supervised by the Consulting Structural Engineer.

The proposal is therefore considered to satisfy the provisions of this clause.

There are no other provisions of the Pittwater LEP 2014 that are relevant to the proposed works.

## 6.6 Pittwater 21 Development Control Plan 2014

Council's Pittwater 21 DCP Section B (General Controls), Section C (Development Type Controls) and Section D Ingleside Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

### 6.6.1 Shaping Development – Desired Character

The desired outcomes for the Ingleside Locality, in which this site falls, are as follows:

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

*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 proposal is consistent with the desired character of the locality by providing for the construction of a new shed, hardstand space and horse arena, which is consistent with the scale and style of existing development in the rural and bushland Ingleside locality.

The proposed development will continue to display the appearance of ancillary development consistent with other ancillary structures in neighbouring properties and nearby. The proposal has been designed to reflect the existing setbacks provided to all boundaries existing in the immediate area.

The proposal will not see the removal of any significant protected vegetation and will maintain a generous area of soft landscaping over the site.

The works will be finished in a range of textures and high-end finishes which will complement the existing surrounding development and harmonise with the bushland setting of the locality.

Therefore, it can be said that the proposed development has been designed to minimise bulk and scale and lessen the visual impact of the proposed development as viewed from adjoining properties with the proposal reflecting the predominant provision of appropriate recreation facilities in the area.

## 6.6.2 Section B General Controls

The General Controls applicable to the proposed construction of a swimming pool and associated decking 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. (S)*

The proposal is supported by a Bush Fire Assessment Report, prepared by Bushfire Consultancy Australia, dated 27 March 2023 stating that the development conforms to the relevant specifications and requirements within Planning for Bush Fire Protection 2019.

It is considered that the development will achieve the outcomes of the clause.

### **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 proposal will see minor site works to provide for the proposed works. However, the site continue maintain its residential use, with previous contamination of the land considered unlikely.

It is considered that the development will achieve the outcomes of the clause.

### **B4.22 Preservation of Trees and Bushland Vegetation**

The controls seek to achieve the outcomes:

*To protect and enhance the urban forest of the Northern Beaches.*

*To effectively manage the risks that come with an established urban forest through professional management of trees.*

*To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.*

*To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.*

*To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.*

*To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.*



The proposed use is to be carried out within the boundaries of the allotment and will not require any further clearing of existing significant 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 the existing planting within the site.

It is considered that the development will achieve the outcomes of the clause.

**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 proposal will not cause any adverse impacts by way of stormwater. Rainwater will runoff through proposed pipes on the new shed structure and be captured in the rainwater tank alongside the shed structure.

The horse arena is uncovered with a porous sand base, meaning rainwater will infiltrate sufficiently through the sand minimising any impact from rainwater.

It is considered that the development will achieve the outcomes of the clause.

**B6.1 Access driveways and works on the Public Road Reserve**

The controls seek to achieve the outcomes:

*Safe and convenient access. (S)*

*Adverse visual impact of driveways is reduced. (En)*

*Pedestrian safety. (S)*

*An effective road drainage system. (En, S)*

*Maximise the retention of trees and native vegetation in the road reserve. (En, S)*

The current driveway crossing arrangements will be retained.

### **B6.2 Internal Driveways**

The controls seek to achieve the outcomes:

- Safe and convenient access. (S)*
- Reduce visual impact of driveways. (S)*
- Pedestrian safety. (S)*
- An effective road drainage system. (En, S)*
- Maximise the retention of trees and native vegetation.*
- Reduce contaminate run-off from driveways.*

The proposal will see the upgrade of the existing driveway to improve access for vehicles to the area of the site.

### **B6.3 Off-street Vehicle Parking Requirements**

The controls seek to achieve the outcomes:

- Safe and convenient parking (En,S)*

The proposal will not result in any changes to the existing parking arrangements for the dwelling house. The new shed will allow for additional parking area for the occupants vehicles. The hardstand area also allows for parking for the horse area use.

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

The controls seek to achieve the outcomes:

- Site disturbance is minimised. (En)*
- Excavation and construction not to have an adverse impact. (En)*
- Excavation operations not to cause damage on the development or adjoining property. (S)*

The proposal will not require substantial excavation to accommodate the new works. Rather minor site leveling will be undertaken to allow the construction of the shed, hardstand and horse arena. The works will be carried out under the guidance of a qualified Structural Engineer and will therefore satisfy the provisions of this clause.

### **B8.2 Construction & 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)*

As required, appropriate sedimentation controls will be implemented throughout construction

to prevent transportation of sediment.

It is considered that the development will achieve the outcomes of the clause.

### **B8.3 Construction & Demolition – Waste Minimisation**

The controls seek to achieve the outcomes:

*Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)*

As required, appropriate waste management controls will be implemented throughout construction.

It is considered that the development will achieve the outcomes of the clause.

### **6.6.3 Section C Development Type Controls**

The Development Controls applicable to the proposed development and are summarised as:

#### **C1.1 Landscaping**

The controls seek to achieve the outcome:

*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 proposal seeks to retain all existing trees. No native vegetation is to be removed as a result of the development.

The site will retain in excess of 27457.4m<sup>2</sup> of the land area as soft landscaping, with the opportunity for further supplementary planting within the area of the horse area and shed structures if required. The existing plantings will continue to provide visual amenity of the site and reduce any adverse privacy impacts onto adjoining properties and the Wirreanda streetscape.

The proposal will retain a suitable area of soft landscaping on site, and the site will maintain its contribution to the landscaped character of the rural and bushland rural locality and is considered to maintain consistency with the provisions of this clause.

### **C1.2 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 will retain the opportunity to view the driveway and vehicle entrance area with casual surveillance of the immediate area available.

### **C1.3 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)*

Due to the sloping topography of the site, the location of the proposed structures on the site and distance from adjoining dwelling houses it is considered the proposal will not result in any unreasonable view loss for neighbouring properties or public vantage points.

It is considered that the development will achieve the outcomes of the clause.

### **C1.4 Solar Access**

The controls seek to achieve the outcomes:

- Residential development is sited and designed to maximise solar access during mid-winter. (En)*
- A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)*
- Reduce usage and/dependence for artificial lighting. (En)*

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid-winter.

The location of the proposed works in the site mean the structures will not impact solar access to the primary living spaces or private open space areas of any neighbouring properties.

It is considered that the development will achieve the outcomes of the clause.

**C1.5 Visual Privacy**

The controls seek to achieve the outcomes:

*Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)*

*A sense of territory and safety is provided for residents. (S)*

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

The undulating topography results in surrounding dwelling houses being sited at different levels and orientations within the hillside. As the neighbouring dwellings are well separated from the proposed shed and horse arena area, the proposed setbacks of the shed and horse arena will see visual amenity maintained for neighbouring properties.

Therefore, the proposed works are not considered to result in any unreasonable overlooking or privacy impacts to the neighbour or surrounding sites, and as a result, no further mitigation measures or privacy treatments are required.

It is considered that the development will achieve the outcomes of the clause.

**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 required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources. Given the nature of the works are consistent with uses of the zone, it is not considered there be any significant change to the existing acoustic site conditions.

It is considered that the development will achieve the outcomes of the clause.

**C1.7 Private Open Space**

The controls seek to achieve the outcomes:

*Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)*

*Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)*

*Private open space receives sufficient solar access and privacy (En, S).*

The required controls to achieve the outcomes are to ensure that dwellings are provided with suitable private open space with an area and grade which will facilitate outdoor private recreation.

The proposal retains suitable areas of private open space. The site will retain the existing rear yard adjoining the dwelling house for private recreation, with the proposed shed and horse arena to provide for the improve the quality and function of the outdoor recreational opportunities for the owners.

It is considered that the development will achieve the outcomes of the clause.

**C1.12 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. There is sufficient area surrounding and within the shed for further on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

It is considered that the development will achieve the outcomes of the clause.

#### 6.6.4 Section D Design Criteria

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 as follows.

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 rural and bushland character of the site by maintaining an appropriate development scale which is compatible with the locality.
- The proposal maintains existing views and amenity to adjoining properties.
- The proposal will not result in additional run-off to adjoining properties or public spaces.
- The proposal does not remove any native vegetation of canopy trees and retains sufficient landscaped areas.
- 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 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 the building maintains a compatibility with the locality through appropriate design relief including roof forms textures, materials, the arrangement of windows, modulation of wall and roof planes, spatial separation, landscaping etc.

The proposal will provide for the construction of a new shed, hardstand and horse arena.

The proposed structures are considered appropriate in the context of the site in that the subject sites slopes downwards away from most neighbouring dwellings and public spaces. This means the proposed development is not visually identifiable from Harvey street or any public spaces. This provides a situation in which presentation of bulk and scale is adequately minimised.

The proposed works do not result in unreasonable excavation, tree removal or environmental impact meaning the resultant development does not unreasonably impact on natural landforms.

On balance, the subject proposal will result in an outcome which respects the site's special ecological and aesthetic contribution to the Ingleside locality and is considered to present a safer and logical design for access to the rear of the site.

### **D6.3 Building Colours, Materials and Construction**

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)*

*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. It is considered that the development is appropriate as the proposal will utilise finishes and colours which are compatible with the DCP, existing building finish and the surrounding properties.

### **D6.5 Front Building Line**

The controls seek to achieve the outcomes:

*Achieve the desired future character of the Locality. (S)*

*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 control to achieve this outcome is to provide a setback of 20m.



The proposed works is located at the rear of the site and will exceed the required front setback to Harvey Road of 20m and are also located well clear of the Wirreanda Road North frontage.

#### **D6.6 Side and rear building line**

The controls seek to achieve the outcomes:

- 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 preserve and enhance the rural and bushland character of the locality. (En, S)*
- To ensure a landscaped buffer between commercial and residential zones is established.*

The relevant controls to achieve this outcome are to maintain a minimum side boundary setback of 7.5m.

The proposed works are to be located 7.5m from the northern boundary and 20m from the southern boundary .

The proposed setbacks are compliant and considered to be reasonable and will achieve the outcomes of Clause D6.6.

#### **D6.8 Landscaped Area – Non Urban General**

The controls seek to achieve the outcomes:

- To achieve the desired future character of the Locality. (S)*
- To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.*
- To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site. (En, S)*
- To preserve and enhance vegetation to visually reduce the built form. (En)*
- To minimise the impact of development on Pittwater's biodiversity by minimising the removal of indigenous vegetation and naturally occurring soils, conserving existing significant indigenous and native trees, and encouraging planting of indigenous and native plants and trees on private property. (En)*
- To conserve significant natural features of the site and contribute to effective management of biodiversity (En)*
- To provide for infiltration of water to the water table, minimise stormwater runoff and assist with stormwater management to reduce and prevent soil erosion and the siltation of natural drainage channels. (En, S)*

*Soft surface is maximised to provide for infiltration of water to the water table, minimise runoff and assist with stormwater management. (En, S)*

*To preserve and enhance the rural and bushland character of the non-urban area of the locality. (En, S)*

The required controls to achieve the outcomes are to limit residential development to a minimum landscaped area of 96% of 29140m – 400m<sup>2</sup>.

The proposal will result in technical non-compliance with the development control of 96% - 400m<sup>2</sup> of the site area or 27574.4m<sup>2</sup>, as the landscaped area calculation is 27457.4m<sup>2</sup> of the total site.

The landscaped area non-compliance created by the inclusion shed, hardstand and horse arena does not contribute to any unreasonable impacts upon adjoining properties or impinge upon the amenity of the dwelling for the occupants. The proposed development is adequately designed in order to retain a reasonable level of privacy and solar access to the subject site and adjacent sites.

The proposed works are of reasonable dimensions, given the context of the site, and is supported by new stormwater management arrangements. The property retains generous soft open space on site that sufficiently minimises the impact of stormwater runoff, erosion or siltation.

Accordingly, the proposal will retain more than sufficient areas of soft landscaping areas within all boundary setbacks to ensure that the development achieves consistency with the outcomes of the landscaped area control.

As the proposal meets the objectives of Clause D9.11, the variation to the landscape area control is considered acceptable on merit.

**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 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.

The application has been prepared having regard to the requirements of Section B, Section C and Section D of the Pittwater 21 DCP.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing rural and bushland 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 proposed construction of alterations and additions is reasonable in that the development will not result in any unreasonable loss of solar access to the adjoining residential properties nor will it result in any acoustic, privacy or visual privacy impacts that are beyond that which can reasonably be expected within the existing locality.

It is considered that the resultant development is compatible with and will complement the area by maintaining a favourable bulk and scale relationship with other development in the vicinity. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 and Council's Codes and Policies, in particular the Pittwater 21 DCP 2014 and the Ingleside Locality Statement.

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

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

#### **8.0 Conclusion**

The principal objective of this development is to provide for the construction of alterations and additions, which respects and complements the site's location.

The proposal is a site-specific design response which takes advantage of the properties superior locational attributes whilst respecting the environmental characteristics of the site and the amenity of adjoining development.

The location of the shed, hardstand and horse arena appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the landscape features on the site.

The proposal is fully compliant with the building height standard, setbacks and is appropriately distributed within the site. Appropriate areas of landscaping are retained to ensure the built form continues to be screened from neighbouring and public view areas.

The works have been located at the rear of the site to provide a complimentary and compatible presentation consistent with established ancillary structures constructed within the immediate area.

The new works will afford exceptional amenity and functionality to the occupants without unreasonably compromising the amenity of surrounding residential properties or the scenic attributes of the locality.

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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