

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot 16 DP 6084
8 Bakers Road
Church Point

PROPOSED DEVELOPMENT: Construction of a carport and garage



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INTRODUCTION

This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a carport and detached triple garage, re-level and widening of the existing driveway. This report is based on plans prepared by Spannenberg & Son, Job reference 8Bake, Revision L, dated 01.05.2024.

The proposed works include:

- Constructed of a detached triple garage
- Constructed of a carport
- Re-level existing driveway
- Extension of existing driveway to provide access to the proposed carport and garage
- Removal of two trees
- Removal of existing retaining walls

The subject site is irregular in shape and located east of Baker Road. The site has a frontage of 20.055m, an average depth of 85.24m, and total land area of 1667.8m². The site currently contains a dwelling which is to be retained as part of this development.

The subject site has a gentle fall towards the northern corner and southern corner of the allotment. Two (2) trees are proposed to be removed to allow for the development to occur and additional planting can occur post development.

The neighbourhood consists of a mix of one, two and three storey dwellings, of diverse architectural styles as anticipated within an existing residential area. The subject site is not identified to be a heritage item or located in or within proximity to any heritage items or conservation areas.

The following sections of this statement address the likely impact of the proposal.



LEGISLATIVE REQUIREMENTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The subject site is located within the coastal zone and requires consideration under this policy. The site is specifically identified as forming part of the Coastal Environment Area and the Coastal Use area. The clauses of relevance are addressed as follows:

Clause 2.10 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 section 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 subsection (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 section does not apply to land within the Foreshores and Waterways Area within the meaning of [State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6.*

The proposed development provides sufficient buffer to the coastal foreshore to ensure there will be no detrimental impact on the environmental characteristics of the waterfront lands, vegetation, headland or the cultural significance of the area surrounding area. There will be no loss of public open space or access thereto.

Clause 2.11 Development on land within the coastal use area

- (1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—*
- (a) has considered whether the proposed development is likely to cause an adverse impact on the following—*
 - (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) Aboriginal cultural heritage, practices and places,*
 - (v) cultural and built environment heritage, and*
 - (a) is satisfied that—*
 - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
 - (b) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*



(2) This section does not apply to land within the Foreshores and Waterways Area within the meaning of [State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6.

The development has been designed and sited giving a high degree of consideration to the coastal environment, site constraints, character of the area and surrounding natural attributes. The site is setback from the foreshore area ensuring no direct impacts in relation to overshadowing, restricted access or excessive visual bulk.

The design does not result in any loss of view to adjoining or nearby developments, provides a high-quality amenity for future occupants. There will be no loss of public view nor any impact on the use of the foreshore area. The development is suitably designed to achieve the objectives of the SEPP.

Chapter 4 – Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.



State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

Clause 2.98 Development adjacent to rail corridors

(1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—

- (a) is likely to have an adverse effect on rail safety, or*
- (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
- (c) involves the use of a crane in air space above any rail corridor, or*
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is not located within proximity to a railway corridor, and does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.

Division 17 Roads & Traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

Clause 2.119 Development with frontage to classified road

(1) The objectives of this section are—

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*



- (i) the design of the vehicular access to the land, or*
- (ii) the emission of smoke or dust from the development, or*
- (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located on a classified road, and does not have a frontage or common boundary with the classified roadway. However, the site is within proximity to and Bakers Road is accessed from Pittwater Road. No further assessment is anticipated in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in Non-rural areas

The aims of this chapter of the policy are understood to relate to the protection of the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural area through preservation of trees and other vegetation.

The proposed development requires the removal of two existing trees to allow the proposed development to occur. The removal of the identified trees is not known to be of increased biodiversity value and is not anticipated to result in reduced amenity to the proposed development as a result of their removal. Replacement planting is to be provided as part of the proposed development to ensure amenity of the allotment is maintained as a result of the development.

Pittwater Local Environmental Plan 2014

This LEP is divided into several parts and the relevant provisions that apply to the subject development are listed together with a comment with respect to compliance.



Part 2 Permitted and prohibited development

Clause 2.2 Zoning of land to which this plan applies

The subject site is identified to be zoned C4 Environmental Living pursuant to Clause 2.21 of Pittwater Local Environmental Plan 2014.

The proposed development is ancillary development to the existing dwelling on the allotment. A 'dwelling' is defined in the Plan as "a building containing only one dwelling".

The identified zone permits the construction of a 'dwelling house' therefore ancillary development is permitted subject to development consent from Council.

Clause 2.3 Zone objectives and land use table

The objectives of the C4 Zone are:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

The proposed development can satisfy the objectives of the zone as it complements the existing residential setting. Residential amenity can be maintained by the proposed development as the site is within an existing residential area intended for this form of development.

The proposed development is compatible with the existing and future character of the locality. The development is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site.

The siting of the carport and garage is in the most appropriate location, which minimises disturbance and follows a similar development density evident throughout the area.



The proposed dwelling is considered to meet the objectives of the C4 Zone.

Part 4 Principal development standards

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m ridge height	<8.5m	Yes

Clause 4.4 Floor Space Ratio

There are no maximum floor space ratio provisions for the subject site.

Clause 4.6 Exceptions to development standards

The proposal does not contravene the development standards of the LEP.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or located within close proximity to heritage items.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified to be bushfire prone land.

Clause 5.21 Flood planning area

The subject site is not known to be located within a flood planning area.



Part 7 Additional local provisions

Clause 7.1 Acid sulfate soils

The subject property is identified as being affected by Class 5 Acid Sulfate Soils. The proposal does not require excavation more than 1 meter below the existing natural ground level and is not considered to lower the water table by 1 meter. The proposed dwelling requires minor excavation within the footprint area only to provide footings / foundations for the proposed development. The development is not anticipated to have any specific requirement in respect to Acid Sulfate Soils.

Clause 7.2 Earthworks

Minimal ground disturbance is required to provide a platform to site the building footprint. Balanced cut and fill, all earthworks can be suitably battered and/or retained to ensure structural adequacy and minimal impact on the adjoining properties. A suitable drainage system will run throughout the site to mitigate the change in ground levels.

Clause 7.6 Biodiversity

The subject site is not identified as being within an area of terrestrial biodiversity.

Clause 7.7 Geotechnical Hazards

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

The subject site is identified as being within the 'Geotechnical Hazard H1' on Council's maps.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks—

- (a) site layout, including access,*
- (b) the development's design and construction methods,*
- (c) the amount of cut and fill that will be required for the development,*
- (d) waste water management, stormwater and drainage across the land,*



- (e) the geotechnical constraints of the site,*
- (f) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Consideration of the abovementioned geotechnical risks has been undertaken during the design of the proposed development.

The proposed car port and garage have been suitably sited largely utilising the existing driveway and to allow for suitable waste water and stormwater management has been incorporated within the design with supporting documentation accompanying the subject development application.

Clause 7.10 Essential Services

All necessary services are available on the site including access to water, sewer, telecommunications and electricity.

* * *

Conclusion with respect to LEP requirements

The proposal satisfies the objectives and requirements of the Pittwater Local Environmental Plan 2014.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.



(a)(iii) Relevant development control plans

Pittwater Development Control Plan No. 21

DCP is divided into several sections of generic and individual locality-based controls. The subject site is located within the Church Point and Bayview Locality. Assessment of the subject proposal against DCP No.21 is provided as follows;

Section A – Shaping Development in Pittwater

A4.12 Locality character statement – Church Point and Bayview Locality

The locality was named for its outlook onto Pittwater, and was officially recognised when Bayview Post Office was opened in 1882. During the nineteenth century, several small farms producing fruit, vegetables, and poultry were established along the sheltered north-facing shore. Church Point, containing a wharf, chapel, school, post office, and cemetery, developed as an important link to the island and western foreshores. With the extension of the coach service from Manly in the 1880s, the locality became a holiday destination. Visitors also reached the locality by boat. Residential development intensified in the locality in the 1960-70s.

The locality has developed into a predominantly low-density residential area, with dwellings built along the steep slopes and lowlands around the base of the plateau. The locality is characterised mainly by one and two-storey dwelling houses on 600-1,000 square metre allotments (some smaller blocks may exist), increasing to 1 hectare on the steeper slopes. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. Although parts of the locality are steep, the natural fall of the land in most cases has been retained, and where retaining walls have been constructed, these are screened by natural vegetation. Terraced gardens are not a feature of the area and should not be encouraged.

The locality is serviced by neighbourhood retail facilities at Church Point, which remains an important link to the offshore communities. The locality also contains a school, the Pasadena restaurant and function centre and several reserves.

Houses, vegetation, cemetery, post office and store, and other structures, indicative of early settlement in the locality, have been identified as heritage items.

The locality is characterised by steep slopes and lowlands around the base of the plateau to the



waters edge and by the bushland approach to Kuringai Chase National Park which exists because of abandoned RMS road reserves which have preserved the diverse environment and form a scenic transition along McCarrs Creek Road between the National Park and Church Point. Due to the topography, significant views can be obtained to the north, east, and west. Conversely, the slopes and ridge tops of the locality are visually prominent.

Much of the natural tree canopy has been retained, especially on the steeper slopes.

The natural features of the locality result in a high risk of bushfire, landslip, flood, and estuary wave action and tidal inundation

The major roads within the locality are Cabbage Tree Road, McCarrs Creek Road and Pittwater Road. McCarrs Creek Road provides access to Ku-ring-gai Chase National Park to the west, while Pittwater Road provides access to land to the east. Several pedestrian links and pathways exist within the locality, including adjacent to the Pittwater waterway. Pedestrian access along the waterfront is difficult in some locations but should be improved, especially over private property.

The proposed development is to be located on a 1667.8m² existing allotment being in keeping with the typical size for the area. A minimal number of trees are proposed to be removed and dense vegetation within the site is to be retained, in order to site the proposed works with all significant existing landscaping to be retained to ensure the landscape character of the area is maintained.

The proposed ancillary works are considered to be consistent with the intended character of the area and the character of Bakers Road. The design and style chosen for the proposed development is desired by the market today being a contemporary nature using materials which ensure that the built form will not be out of place and will not detract from the amenity of surrounding properties.

The proposal does not present any detriment to views or streetscape setting and environmental issues are considered satisfactory addressed.

This development application is supported by all the necessary documentation to address the relevant environmental triggers of this Plan, such as landscaping and stormwater plans.



Desired Character (extract)

The Church Point and Bayview locality will remain a low-density residential area with dwelling houses a maximum of two storeys in any one place in a natural 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 occupancy dwellings will be located on lowlands in the locality on land that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Retail, 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. The locality is characterised by steeply sloping blocks so the provision of facilities such as inclinators, driveways and carparking need to be sensitively designed. The shared use of vehicular/pedestrian access, and the use of rooftops as parking areas can be solutions that minimise the physical and visual impact on the escarpment or foreshore.

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. Views from the buildings shall be maintained below the tree canopy level capturing spectacular views up the Pittwater waterway. 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 locality is visually prominent particularly from Scotland Island, Bilgola Plateau, and the Pittwater waterway. Therefore, 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. 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.

Pedestrian/cycle access around the foreshore and to areas of open space will be upgraded and maintained.

Church Point will remain an important link to the offshore communities.

The proposed carport and garage will retain the residential character. The existing dwellings frontage and associated infrastructure will be maintained, including existing dense vegetation to provide a natural boundary.

The proposed development is considered to be in keeping with surrounding developments recognising multiple nearby dwelling to have carports and garages.

The overall design of the development has given consideration to the site's environmental constraints and topography, the amenity of neighbouring properties, views obtained from the site and the streetscape.

The proposed works are considered to be in keeping with the desired character of the Church Point, and Bayview area.

Section B – General Controls

B1 Heritage Controls

The subject site is not identified as an item of heritage significance. The site is not within a heritage conservation area or located within close proximity to heritage items.

B3 Hazard Controls

The subject site is not identified to be within a bushfire prone area.



The subject property is identified as being classified by Class 5 Acid Sulfate Soils. The proposal is not considered to lower the water table by 1 meter and requires exaction with a depth less than the development is not anticipated to have any specific requirement in respect of Acid Sulfate Soils.

B4 Controls Relating to the Natural Environment

The subject site is not identified as being within an area of environmental significance.

B5 Wastewater management

Drainage from the subject site is to be directed to the existing drainage collection system for the property.

B6 Access and Parking

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>B1.6 Access driveways and works n Public Road Reserve</u> Driveway width at boundary to be maximum of 3.0m	Existing driveway width at boundary unchanged by proposal.	N/A
Driveway width at kerb to be maximum of 3.5m	Existing driveway width at kerb unchanged by proposal.	N/A
<u>B6.2 Internal driveways</u> Minimum width of driveway corridor 3m	Provided	Yes
<u>B6.3 Off-street parking requirements</u> Required parking spaces per dwellings (not secondary dwelling) 1bedroom – 1 space 2bedrooms + - 2 spaces Min. enclosed garage dimensions - 3.0m x 6.0m	>2 parking spaces provided Provided.	Yes Yes



B8 Site works management

Earthworks are required to site the proposed carport and garage. An erosion and sediment control plan is attached with this application for Council’s consideration. All sedimentation control devices will be in place prior to any site works for the construction of addition.

Section C - Development type controls

C1 Design Criteria for Residential Development

<i>Requirements</i>	<i>Provision</i>	<i>Compliance</i>
<u>C1.1 Landscaping</u> 60% of front setback to be landscaped.	54.93% landscaped.	See D4.10
<u>C1.2 Safety & security</u> Be able to view visitor at front door without opening it. Casual surveillance of front yard.	The proposed development is not anticipated to result in any loss of safety and security to the existing dwelling. Sight lines from the existing dwelling to the street are retained by the development. Adequate lighting is provided within the front yard to permit access without annoyance to neighbours.	Yes
<u>C1.3 View sharing</u>	The proposed development is not anticipated to have any unreasonable impact on views of surrounding properties. Any views obtained along the street and through the site can still be obtained due to appropriate setbacks.	Yes
<u>C1.4 Solar access</u> 3hrs to POS of proposed and adjoining 9am-3pm.	3hrs solar access provided to the existing dwelling and adjoining dwellings due to appropriate setbacks and height of the proposed works. Shadows cast from the proposed	Yes Yes



3hrs to 50% glazing of proposed and adjoining living area windows.	development are not beyond anticipated levels for an allotment with north to the side/rear.	
<u>C1.5 Visual privacy</u>	No loss of visual privacy anticipated from the proposed development.	Yes
<u>C1.6 Acoustic privacy</u>	No significant noise source within direct proximity of the subject site.	Yes
<u>C1.7 Private open space</u> 80m ² POS Min dimension 3m Max 75% POS in front yard Principal area 4m x 4m Accessed via living area. POS to have good solar orientation POS to include provision of clothes drying facilities.	579.14m ² POS area retained. Min dimension >3m. POS located in rear yard. Provided in rear yard. Accessed is unchanged by proposal. Solar access to POS largely unchanged by proposal. POS area capable of receiving adequate solar access due to its north facing orientation. Provided.	Yes Yes Yes Yes Yes Yes Yes
<u>C1.9 Accessibility</u>	Appropriate access to and from the site is maintained.	Yes
<u>C1.12 Waste and recycling facilities</u>	Adequate area continues to be available for bin storage within the site. Waste Management Plan provided for Council's consideration.	Yes Yes
<u>C1.20 Undergrounding of utility services</u>	Necessary services/utilities can be provided for the proposal.	Yes

Section D - Locality Specific Development Controls

D4 Church Point and Bayview Locality

This section of the DCP applies to all land within the Church Point and Bayview Locality and provides controls for sector planning (subdivision and layout) and built form. The proposed development does



not involve any structural changes to the existing dwelling or building that would change the existing setbacks.

An assessment of the proposed development against the relevant controls of this section of the DCP is provided in the following compliance table;

<i>Design Guidelines</i>	<i>Proposed</i>	<i>Compliance</i>
<u>D4.1 Character as viewed from a public space</u> Garages, carports and other parking structures including hard standing must not dominate the site To be located behind the front building line Garage width o >50% of lot frontage or 7.5m whichever is lesser	Proposed carport and garage considered to be of suitable scale, size and design reflective of the subject site lot size and existing landscaping to not dominate the site. Proposed garage located in front of building line <50% / 6.57m garage width of side fronting street	Yes No – see below Yes
<u>D4.3 Building colours and materials</u> External colours and materials to be dark and earthy tones Finishes to be of low reflectivity	Capable of complying Non- reflective materials proposed	Yes Yes
<u>D4.6 Side and rear building line</u> <u>Land zoned R2 and E4:</u> 2.5m to at least one side 1m to at least one side 6.5 to rear	Min. side setback 3.502m N/A – no change to rear setback	Yes N/A
<u>D4.8 Building envelope</u> 45° from a height of 3.5m above ground level at side boundaries to maximise floor level requirement.	Development entirely within the building envelope.	Yes



<p><u>D4.9 / Landscaped Area – General</u> Landscape area min = 50%</p>	<p>N/A site identified to be located within Area 1 on landscape area map</p>	<p>N/A</p>
<p><u>D4.10 / Landscaped Area – Environmentally Sensitive Land</u> Landscape area min. = 60% Variations - Provided the outcomes of this control are achieved the following may be permitted on the landscape area less than 1m in width; For single dwellings on land zone R2 and E4 and ≤6% of total site are may be provided for impervious landscape treatments provided are for outdoor recreational purposes only.</p>	<p>Proposed landscape 61.63% - including impervious areas</p>	<p>Yes</p>
<p><u>D4.11 Fences</u></p>	<p>N/A - No fences proposed as part of this development.</p>	<p>N/A</p>
<p><u>D4.13 Construction, Retaining Walls, Terracing and Undercroft areas</u> Lightweight construction and pier and beam footings should be used in environmentally sensitive areas. Visible retaining walls and terracing preference given to sandstone, or similar materials. Provision of outdoor entertaining areas, preference given to timber decks rather than cut/fill, retaining walls and/or terracing. Undercroft areas limited to max. height 3.5m</p>	<p>Proposed bessa block N/A – proposed removal of existing retaining walls N/A -no outdoor entertaining areas proposed as part of this development. No undercroft areas proposed</p>	<p>Yes N/A N/A N/A</p>



Variation Requests:

Garage forward of the build line – The proposed garage is required to be located behind the main building line in accordance with the Council's DCP. The proposed garage has a setback of 11.741m, however is located forward of the main dwelling façade thus requiring a variation to this control.

The setback requirement is understood to be a means to ensure the garage and parking areas are not a dominant feature of the dwelling and streetscape and to provide safe and convenient access for vehicles, pedestrians and cyclists whilst minimising conflict between them. The proposed orientation of the garage to have the smaller width along with the articulation provided along the front façade fronting the streetscape ensures the garage is not a dominant feature of the dwelling or streetscape. The generous front setback to the garage of 11.741m ensures the appearance of the proposed garage is further reduced from the streetscape behind the existing dense vegetation.

Due to the high-quality design of the garage, its setback and existing landscape buffer the proposed development is considered to meet the objectives of the garage setback controls despite sitting forward of the building line. It is therefore requested that the variation is supported in this instance.

* * *

Conclusion with respect to DCP Requirements

The proposal is considered to generally satisfy the objectives of the relevant development controls relating to dwellings, as contained within Pittwater DCP 21.

(iii) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality

The following matters are understood to be relevant when considering on site impacts.



Sitting and Design

The proposed carport and garage will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The sitting of the proposed works provides suitable boundary setbacks, contributing to spatial separation and openness between dwellings.

Sedimentation Control

Minor earthworks will be required for the construction of the proposed carport and garage, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged to occur during construction.

(c) The suitability of the site for the development

The subject site is within an established residential area within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed carport and garage, the subject of the application, can be constructed with all services necessary and have been designed to suit site constraints and the character of the surrounding residential setting.



The proposed works are permissible with development consent under the provisions of Pittwater Local Environmental Plan 2014, and generally satisfies the objectives of the Pittwater Development Control Plan No.21 as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.

CONCLUSION

The proposed development has been considered in respect of the relevant Environmental Planning Instruments and is deemed to be satisfactory with respect to those requirements taking into consideration the overall merits of the design presented.

The residential use of the site is permissible with development consent under the provisions of Pittwater Local Environmental Plan 2014, and can satisfy the objectives of the relevant development control plan for the area.

It is considered that the construction of a carport and double garage will complement and blend with the existing and likely future character of Church Point. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

The appropriateness of the development has been evident within this statement and within the supporting documentation submitted to Council. The proposed carport and double garage appropriately identifies and relates to the sites use as a residential development.



Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activity is considered acceptable and maintains the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under S4.15 of the E P and A Act 1979.

Given the relevant planning policies, codes and requirements of the EP & A Act 1979 have been duly satisfied the proposed development is on balance worthy of approval.

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8 May 2024