

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR

PARTIAL DEMOLITION AND
ALTERATIONS AND ADDITIONS
TO EXISTING DWELLING AT
NO.29A (LOT 1 DP 873466)
ANANA ROAD
ELANORA HEIGHTS 2101

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1.0 INTRODUCTION AND BACKGROUND

This Statement of Environmental Effects has been prepared in support of a Development Application for alterations and additions to the existing dwelling at 29A (Lot 1 DP 873466) Anana Road Elanora heights.

The proposal comprises the demolition of the existing roof structure and replacement with partial flat roof and partial additional storey with a flat roof.

In the preparation of this Statement of Environmental Effects, consideration has been given to the following documents:

- Plans of the proposal prepared by Bentley Designs.
- Pittwater Local Environmental Plan 2014;
- Pittwater Development Control Plan.
- Planning Principles of the NSW Land and Environment Court.
- Survey Report by GK Wilson and Associates.

During the preparation of this Statement of Environmental Effects, I have attended the subject site and the surrounding locality to gain an understanding of the proposal and its future relationship with the streetscape and the immediate surrounding sites.

I have examined a number of iterations of the proposal to ensure that the future works on the subject site will make a positive contribution to the locality following the demolition of the existing roof structure on the subject site and replacement with an additional storey whilst still retaining a view corridor.

I am satisfied that the proposal, as submitted will not only offer a high standard of accommodation for future residents but will do so in a manner that respects its juxtaposition with adjacent and nearby dwellings.

2.0 SITE AND LOCALITY



SUBJECT SITE OUTLINED (NB MAPPING)

The subject site is located on the southern side of Anana Road Elanora Heights, four lots to the west of the junction of Anana Road and Kundibah Road.

The Elanora Heights locality is characterised by primarily two storey dwellings with a variety of building styles and finishes, varying landscaping regimes with mixes of native and introduced species.

The subject site is legally described as Lot 1 DP 873466 and is generally trapezoidal in shape and contains an existing dwelling and shares a common driveway with the property to the rear namely 29 Anana Road.

The subject site comprises an area of 415.5 m² including the access driveway to the site at the rear. The accompanying Survey Report by GK Wilson and Associates illustrates the two 88B instrument restrictions within the site boundaries to allow vehicular access and carparking for the adjacent site at No.29 Anana Road.

The site area available for any works (minus the combined area of the two 88B Restrictions) within the subject site is 347.46 square metres.

This available site area is a result of the subtraction of the RATU easements for access (X and Y on the Survey), as defined within Clause 4.5 of the PLEP 2014 as follows-

(4) Exclusions from site area

The following land must be excluded from the site area—

- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,*
- (b) community land or a public place (except as provided by subclause (7)).*

The following extract from the submitted survey prepared by GK Wilson and Associates illustrates the carparking space (Y) and a Right of Way (X) areas to be extracted from the site area.

The survey also provides details on the site levels along with the location of structures on and around the subject site particularly the relative juxtaposition and heights of roof ridges and external decking of the subject dwelling and adjacent structures to enable

[illegible]

EXTRACT FROM GK WILSON AND ASSOCIATES SURVEY OF SUBJECT SITE



SUBJECT SITE VIEWED FROM ANANA ROAD



SUBJECT PROPOSAL VIEWED DIAGONALLY FROM ANANA ROAD

3.0 THE PROPOSAL

The proposal seeks consent for the following –

- Demolition of existing roof and upper level ceiling structure.
- Construction of new level containing two bedrooms, bathroom, living areas, balconies and flat roof section to the eastern roof area.
- No works are proposed external to the existing dwelling footprint apart from any services requiring upgrading or replacement.

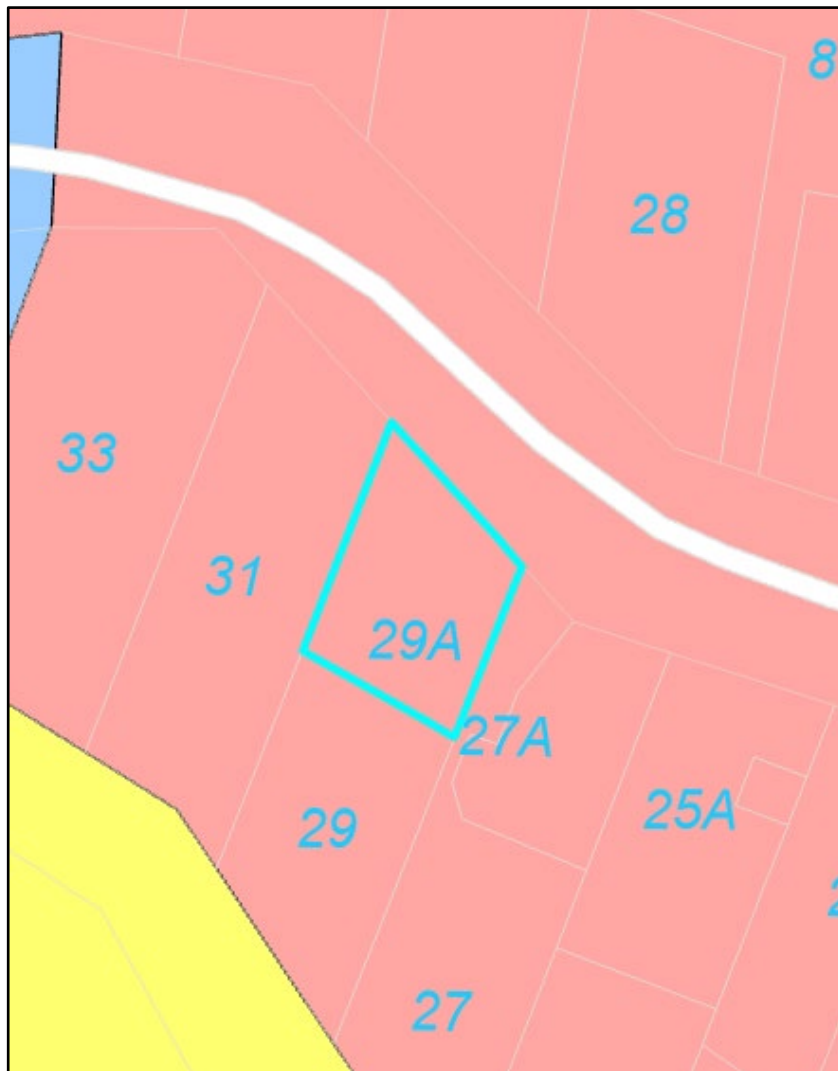
Detailed Plans and solar access diagrams by Bentley Designs provide details to assist in the assessment of the proposal.



SUBJECT PROPOSAL VIEWED FROM ANANA ROAD

4.0 PLANNING ASSESSMENT

4.1 PITTWATER LOCAL ENVIRONMENTAL PLAN 2014



EXTRACT FROM PITTWATER LEP ZONING MAP, SUBJECT SITE OUTLINED

Zoning

Zone R2 Low Density Residential

Objectives of zone

- To provide for the housing needs of the community within a low density residential

environment.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

Permitted without consent

Home businesses; Home occupations

Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals; Water recreation structure

Prohibited

Any development not specified in item 2 or 3

RESPONSE

The subject site is zoned *R2 Low Density Residential* and the proposed works, being residential, are permissible within the zone.

The proposal will satisfy the zone Objectives by limiting the extent of works to the current building footprint area of the subject site, will not hinder the proper and orderly development of the area and will retain the current residential setting.

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
 - (b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
 - (c) to minimise any overshadowing of neighbouring properties,*
 - (d) to allow for the reasonable sharing of views,*
 - (e) to encourage buildings that are designed to respond sensitively to the natural topography,*
 - (f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).*

RESPONSE

Pittwater LEP 2014 prescribes a maximum Height of Buildings of 8.5 metres above the existing ground level. The proposed works have been crafted to comply with the development standard for Maximum Building Height and recognise and retain the view corridor across the subject site from the principal living area of 29 Anana Road behind the subject site and ensure compliance with the development standard.

The proposal has been crafted to respect the achievement of the desired future character of Elanora Heights by proposing additional floor area dwelling that achieves the Outcome sought under D5.1 of the PDCP to provide a building that does not dominate the streetscape and is at a human scale.



EXTRACT FROM PITTWATER LEP HEIGHT OF BUILDINGS MAP, SUBJECT SITE OUTLINED

The likely view corridor from the elevated deck on No.29 across No.29A Anana Road is illustrated in the following photograph.



NUMBER 29 (at rear) VIEWED FROM ANANA ROAD

5.10 Heritage conservation

(1) Objectives


The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Pittwater,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.


RESPONSE

The subject site does not contain nor is it in close proximity to any items listed and described in Schedule 5 of the PLEP.

The following search result for the subject site advises that no Aboriginal sites or places are present in or near the subject site.

**AHIMS Web Services (AWS)**
Search Result

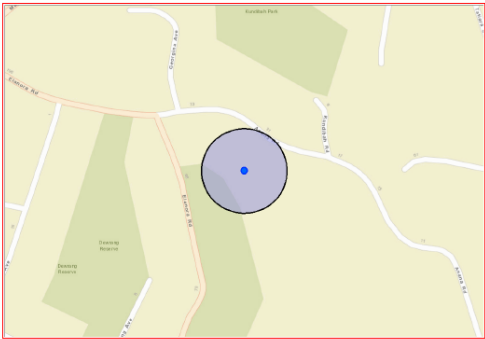
Your Ref/PO Number : 29A ANANA
Client Service ID : 960389
Date: 13 December 2024

Lance Doyle

Email: lance@doyleconsulting.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Address : 29 ANANA ROAD ELANORA HEIGHTS 2101 with a Buffer of 50 meters, conducted by Lance Doyle on 13 December 2024.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

AHIMS SEARCH RESULT

7.1 Acid sulfate soils

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

RESPONSE

The Pittwater Acid Sulphate Soils map identifies the subject site as containing Class 5 Acid Sulfate Soils and as such, no further investigation is required as no excavation is proposed.

7.2 Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

RESPONSE

Any earthworks required will be limited to the provision of new augmentation of existing services such as electricity and the like.

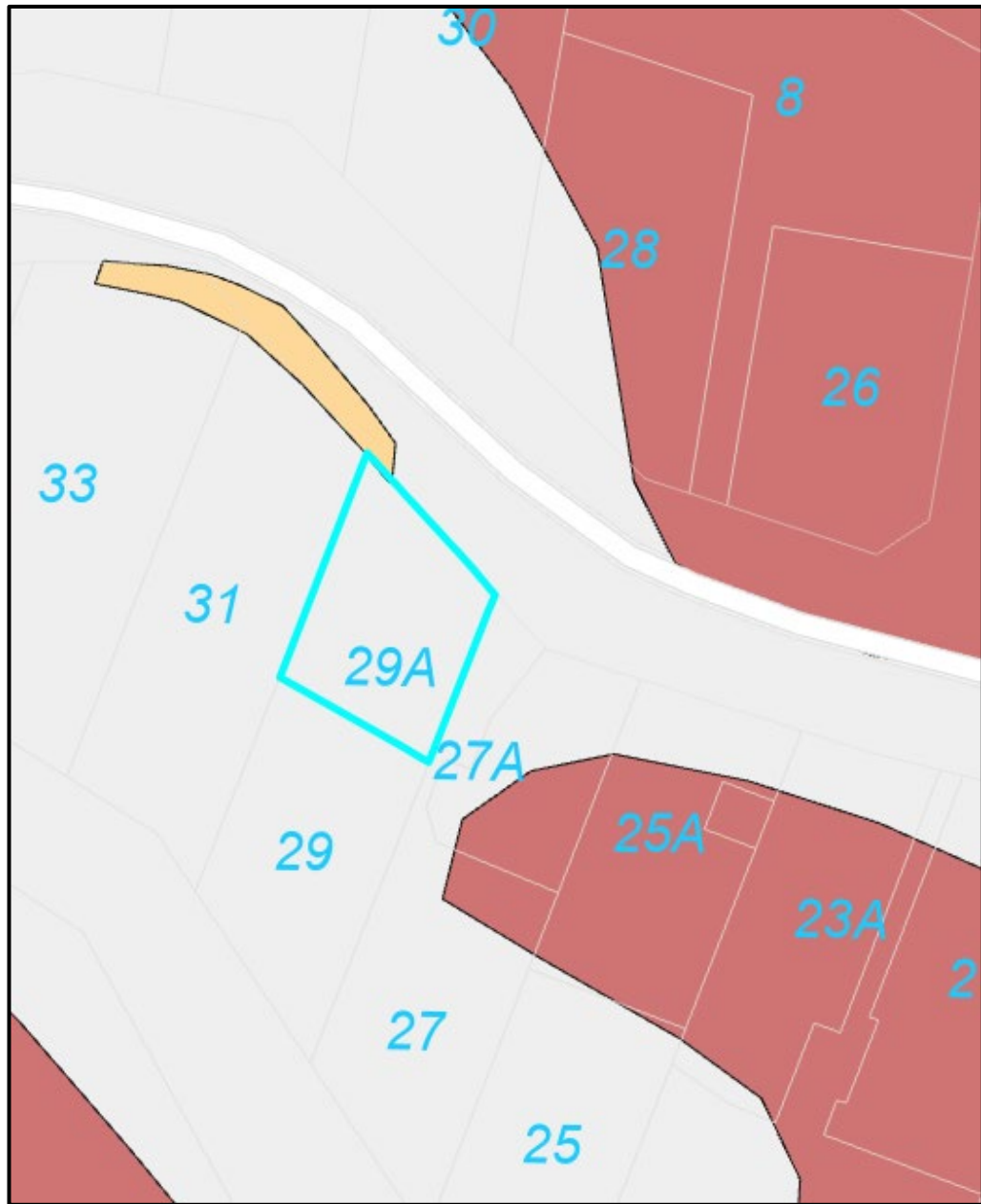
7.7 Geotechnical hazards

The objectives of this clause are to ensure that development on land subject to geotechnical hazards:

*matches the underlying geotechnical conditions of the land, and
is restricted on unsuitable land, and*

does not endanger life or property.

This clause applies to land identified as “Geotechnical Hazard H1” and “Geotechnical Hazard H2” on the Geotechnical Hazard Map.



EXTRACT FROM PITTWATER LEP GEOTECHNICAL HAZARD MAP, SUBJECT SITE OUTLINED

RESPONSE

The above extract from the Pittwater Geotechnical Hazard Map confirms that the subject site is not identified as likely to be subject to geotechnical hazards.

4.2 PITTWATER 21 DEVELOPMENT CONTROL PLAN

A4.5 Elanora Heights Locality

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale.

- The proposal satisfies this objective, is compliant with the maximum building height control and minimises bulk and scale.

Existing and new native vegetation, including canopy trees, will be integrated with the development.

- No works are proposed to the landscaped area of the subject site.

Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like.

- Submitted plans show a well modulated structure.

Building colours and materials will harmonise with the natural environment.

- Colours to be as existing.

Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance.

- Not applicable.

B3.1 Landslip Hazard Outcomes

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

RESPONSE

The subject site is not identified as requiring any Geotechnical assessment.

B3.6 Contaminated Land and Potentially Contaminated Land Outcomes

Protection of public health.

Protection of the natural environment. Successful remediation of contaminated land.

RESPONSE

The subject site has historically been used for residential purposes and there is no evidence of the importation of any contaminated material.

B4.22 Preservation of Trees and Bushland Vegetation

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.*

RESPONSE

No works are proposed that are likely to impact upon any vegetation on or around the

subject site.

B5 Water Management

The proposal does not propose any additional impervious areas and relies upon the existing stormwater system exiting onto Anana Road.

B6 Access and Parking

B6.1 Access Driveways and Works on the Public Road Reserve - Low Density Residential Outcomes

Safe and convenient access.

Adverse visual impact of driveways is reduced. Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation in the road reserve.

RESPONSE

The proposal does not include any works to the access driveway or carparking.

B6.2 Internal Driveways - Low Density Residential

Outcomes

Safe and convenient access. Reduce visual impact of driveways. Pedestrian safety.

An effective road drainage system.

Maximise the retention of trees and native vegetation. Reduce contaminate run-off from driveways.

RESPONSE

The proposal does not include any works to the access driveway or carparking.

B6.3 Off-Street Vehicle Parking Requirements - Low Density Residential

Outcomes

Safe and convenient parking.

Controls

On-Site Car Parking Requirements

The minimum number of vehicle parking spaces to be provided for off- street parking is as follows:

<i>Size of Dwelling</i>	<i>Parking</i>
<i>Small dwelling</i>	<i>1 space</i>
<i>Large dwelling (2 bedrooms or more)</i>	<i>2 spaces</i>

RESPONSE

Off street carparking for 2 vehicles is provided.

No change is proposed to the carparking provisions.

B8.1 Construction and Demolition - Excavation and Landfill

Outcomes

Site disturbance is minimised.

Excavation, landfill and construction not to have an adverse impact. Excavation and landfill operations not to cause damage on the development or adjoining property.

RESPONSE

Construction and demolition works on the subject site are generally limited to the existing building footprint apart from any works required to replace or augment any service connections.

B8.2 Construction and Demolition - Erosion and Sediment Management

Outcomes

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

Reduction of waste throughout all phases of development. Public safety is ensured.

Protection of the public domain.

RESPONSE

The sedimentation and erosion control plan submitted with this development application indicates the provision of effective devices to ensure that the above outcomes are satisfied.

B8.3 Construction and Demolition - Waste Minimisation 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.

RESPONSE

The accompanying waste management plan prepared by Bentley Designs will guide the proposal to satisfy the above outcomes during demolition, excavation and construction works.

B8.4 Construction and Demolition - Site Fencing and Security

Outcomes

Ensuring public safety.

Protection of public domain

Prior to the commencement of any site works, the subject site will be fenced with a 1.8 metre fence and sediment and erosion control fencing to prevent unauthorized access and prevent sediment migrating off site.

RESPONSE

The subject site will be provided with appropriate site fencing for the duration of the

proposed works.

B8.6 Construction and Demolition - Traffic Management Plan Outcomes

Minimal disturbance to the residential community.

Protection of Roads.

RESPONSE

N/A

C1 Design Criteria for Residential Development

C1.1 Landscaping

Outcomes

A built form softened and complemented by landscaping.

Landscaping reflects the scale and form of development.

Retention of canopy trees by encouraging the use of pier and beam footings.

Development results in retention of existing native vegetation.

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

Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species

Landscaping enhances habitat and amenity value.

Landscaping results in reduced risk of landslip.

Landscaping results in low watering requirement.

RESPONSE

The proposal will retain the existing landscaped area of 89.1 square metres, a percentage of provided landscaped area of 21.4%.

No loss of landscaped area is proposed.

C1.2 Safety and Security

Outcomes

Ongoing safety and security of the Pittwater community.

Opportunities for vandalism are minimised.

RESPONSE

The proponent is mindful of the need to ensure ongoing prevention of crime and the proposed layout will facilitate observation of the majority of the subject site and the street frontage

C1.3 View Sharing

Outcomes

A reasonable sharing of views amongst dwellings.

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.

Canopy trees take priority over views.

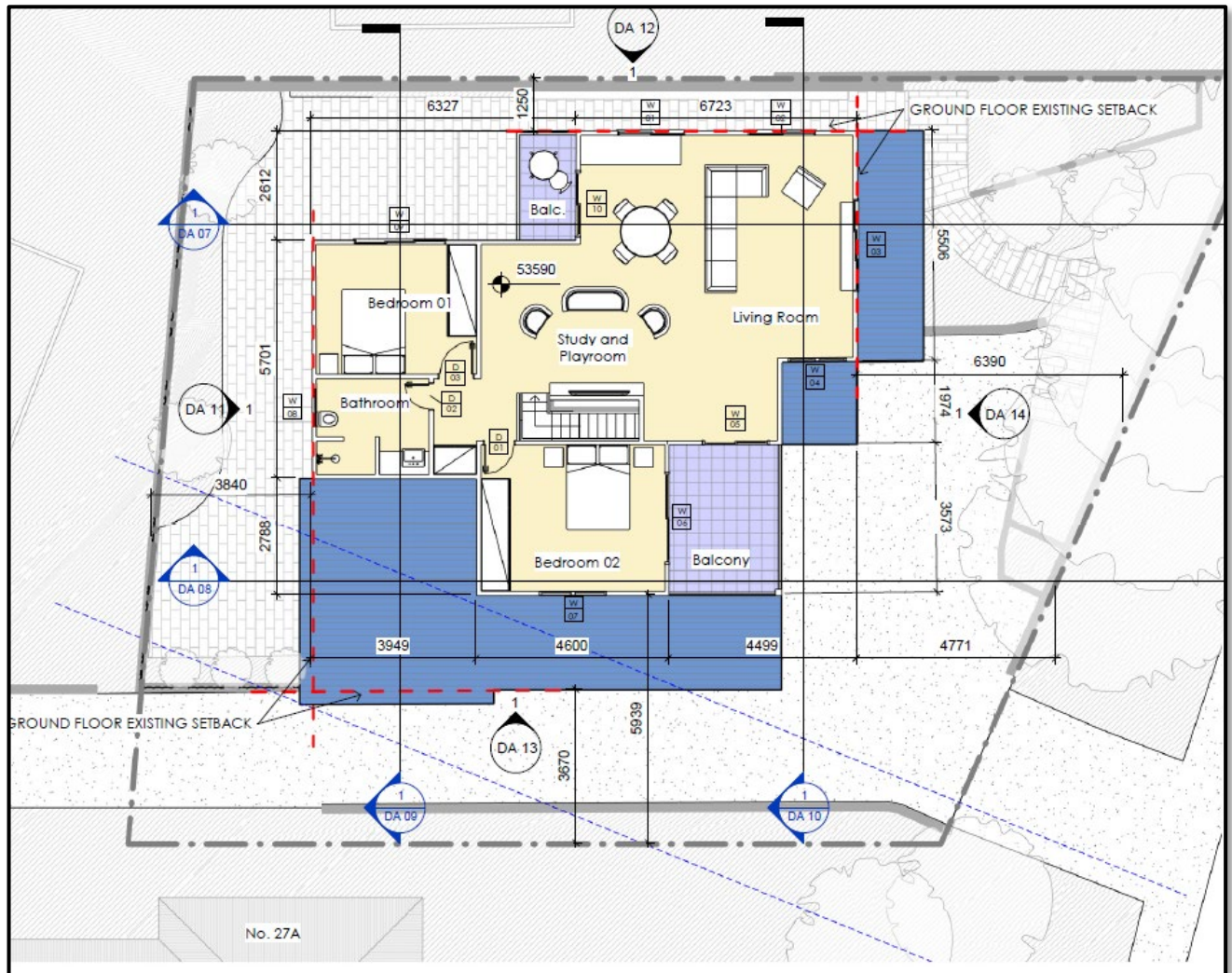
RESPONSE

The elevated deck and orientation of the built form on 29 Anana Road exhibits the characteristics of a view corridor being present across the subject site from the adjacent site.

The view corridor is illustrated in the below site plan by dotted lines across the subject site.

The proposal recognizes that there may be a view corridor across the subject site and as can be seen from the site plan and elevations, the view corridor has been protected by the removal of the pitched roof within the identified corridor and its replacement with a flat roof, thereby recognizing the principles of view sharing with a sensitive, compliant proposal.

The retention of this view corridor was a driver of the submitted design which recognises and respects this element whilst still allowing a compliant built form to be created within the subject site.



SITE PLAN SHOWING VIEW CORRIDOR FROM 29 ANANA ROAD

The demolition of the existing roof structure and its replacement with a flat roofed configuration within the identified view corridor across the subject site from the elevated deck area of 29 Anana Road allows for the retention of the identified view corridor whilst also allowing a reasonable built form to be created outside the view corridor.

The below elevation further illustrates this aspect of the design and the visibility of the deck and eastern living area of 29 Anana across the subject site.



ELEVATION OF PROPOSAL SHOWING 29 ANANA ROAD AT REAR



AERIAL PHOTOGRAPH OF 29 AND 29A ANANA ROAD SHOWING ORIENTATION OF THE BUILT FORM AND DECK ON NUMBER 29

C1.4 Solar Access

Outcomes

Residential development is sited and designed to maximise solar access during mid-winter.

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.

Reduce usage and/dependence for artificial lighting.

RESPONSE

The subject proposal will provide solar access to living areas and private open space of the subject site whilst ensuring that there will be no unreasonable overshadowing across any boundaries onto living areas or decks of adjacent sites.

C1.5 Visual Privacy

Outcomes

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.

A sense of territory and safety is provided for residents.

RESPONSE

Visual privacy is achieved by the sensitive location of the deck areas which minimises any overlooking onto sensitive living areas.

C1.6 Acoustic Privacy

Outcomes

Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.

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 private open space

areas.

RESPONSE

The layout and use of the proposal is such that acoustic disturbance is unlikely.

C1.7 Private Open Space

Outcomes

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

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

Private open space receives sufficient solar access and privacy.

RESPONSE

The subject site will be provided with open space in the form of elevated decks to both levels of the dwelling with solar access for future occupants.

C1.12 Waste and Recycling Facilities

Outcomes

Waste and recycling facilities are accessible and convenient, and integrate with the development.

Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.

RESPONSE

Waste disposal and collection will be carried out by Councils contractor as is currently the case.

C1.13 Pollution Control

Outcomes

Development that does not adversely impact on public health, the environment or other lands.

RESPONSE

The proposal, being for a residential use, constructed in a sustainable manner, will not adversely impact upon public health, the environment or other lands.

C1.14 Separately Accessible Structures

Outcomes

Separately accessible structures that provide a recreational or office function for residents.

RESPONSE

No separately accessible structures are proposed.

C1.23 Eaves

Outcomes

Housing that reflects the coastal heritage and character of Pittwater.

Optimise roof forms.

Appropriate solar access and shading is achieved.

RESPONSE

The design of the dwelling is such that eaves are proposed ensuring that a level of energy efficiency will be achieved to satisfy the provisions of the attached BASIX certificate.

ELANORA HEIGHTS LOCALITY

D5.1 Character as viewed from a public place (Excluding Elanora Heights Village Centre)

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.

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.

High quality buildings designed and built for the natural context and any natural hazards.

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

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.

Controls

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;*
- ii. awnings or other features over windows;*
- iii. verandahs, balconies or window box treatment to any first floor element;*
- iv. recessing or projecting architectural elements;*

- v. open, deep verandahs; or
- vi. verandahs, pergolas or similar features above garage doors.

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.

RESPONSE

The subject proposal has been crafted to endorse the above Outcomes (where relevant) as the proposal -

- will complement the desired future character of the Locality by removing an unsympathetic built form,
- will have a visual impact which will remain secondary to landscaping,
- is of high quality and is designed to address the natural context of the area and any natural hazards,

- will not dominate the streetscape and is at human scale,
- and will preserve private and public views.

D5.2 Scenic protection - General

Outcomes

To achieve the desired future character of the Locality.

Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment.

Controls

Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

RESPONSE

The proposal will not result in the loss of any vegetated areas or trees on or around the subject site and will retain a visual consistency within the locality.

D5.3 Building colours and materials

Outcomes

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape.

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.

The visual prominence of the development is minimised. Damage to existing native vegetation and habitat is minimised.

RESPONSE

The palette of colours and finishes in the accompanying Schedule of Finishes will endorse the above outcomes.

D5.5 Front building line

Outcomes

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places.

The amenity of residential development adjoining a main road is maintained.

Vegetation is retained and enhanced to visually reduce the built form. Vehicle manoeuvring in a forward direction is facilitated.

To preserve and enhance the rural and bushland character of the locality.

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.

Controls

The minimum front building line shall be in accordance with the following table.

Land	Front Building Line (metres)
<i>Land zoned R2 Low Density Residential</i>	<i>6.5 or established, whichever is greater</i>

RESPONSE

The existing setback to the front boundary is partially non compliant with the above

control however this is existing and no further encroachment is proposed.

D5.6 Side and rear building line

Outcomes

To achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

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.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access.

Vegetation is retained and enhanced to visually reduce the built form. To ensure a landscaped buffer between commercial and residential zones is established.

Controls

The minimum side and rear building line for built structures, including pools and carparks other driveways, fences and retaining walls, shall be in accordance with the following table:

Land	Side and Rear Building Line Setback (metres)
Land zoned R2 Low Density Residential	2.5 to at least one side; 1.0 for other side 6.5 rear.

RESPONSE

The proposal is compliant with the side boundary setbacks under this control (1.25m to the western boundary and 3.67m to the eastern boundary).

The existing setback to the rear boundary at 3.815m is non-compliant with the control however no works are proposed to further breach the rear setback control.

D5.7 Building envelope Outcomes

To achieve the desired future character of the Locality.

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment. To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised.

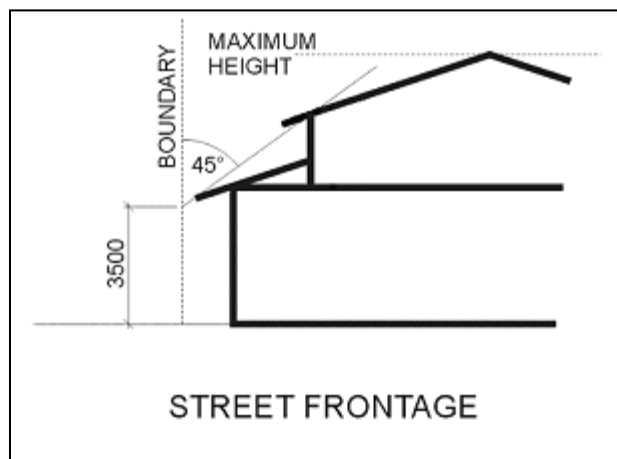
Equitable preservation of views and vistas to and/or from public/private places.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.

Vegetation is retained and enhanced to visually reduce the built form.

Controls

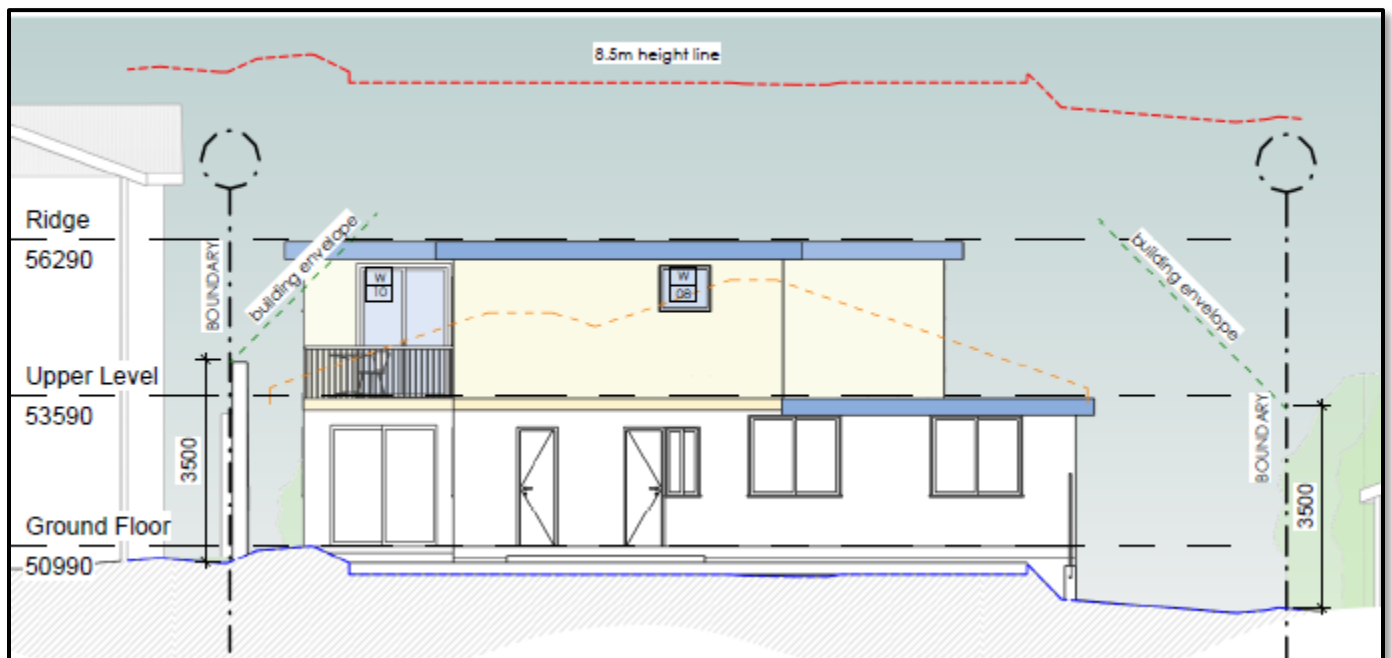
Buildings are to be sited within the following envelope:



RESPONSE

The proposal is substantially compliant with the provisions of the building envelope control apart from a partial incursion in the south-western corner of the proposal.

This incursion is illustrated in the following extract from the architectural plans and it is noteworthy that the breach of the building envelope control and its potential impacts is ameliorated by the fact that the proposal is significantly below the maximum building height control of 8.5 m and as such is worthy of support.



SOUTH ELEVATION OF SUBJECT PROPOSAL

D5.9 Landscaped Area - Environmentally Sensitive Land

Outcomes

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.)

A reasonable level of amenity and solar access is provided and maintained.

Vegetation is retained and enhanced to visually reduce the built form.

Conservation of natural vegetation and biodiversity.

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

To preserve and enhance the rural and bushland character of the area.

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

Controls

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

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

RESPONSE

The proposal does not incorporate any works that will result in the loss of any landscaped area.

The existing landscaped area is non compliant with the 60% landscaped area control due to the extent of hardspace required for vehicular access and maneuvering for the subject site and the adjacent site at No.29 Anana Road.

The site area, excluding the access ways encompasses an area of 347.46 m². The area of landscaping currently on the site is 89.1 m². This equates to a landscaping percentage of 25.6%. This area is existing and will be retained as part of the completed proposal.

D5.13 Construction, Retaining walls, terracing and undercroft areas

Outcomes

To achieve the desired future character of the Locality. To protect and minimise disturbance to natural landforms.

To encourage building design to respond sensitively to natural topography

RESPONSE

Not applicable to the proposal.

5.0 SECTION 4.15 Evaluation

7.8 Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) 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

RESPONSE

The relevant provisions of the *PITTWATER LEP 2014* have been addressed in the body of this Statement.

(iii) any development control plan,

RESPONSE

The relevant provisions of the *PITTWATER DCP* have been addressed in the body of this Statement.

and

(iiia) 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,

RESPONSE

No planning agreements apply to the proposal

and

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

RESPONSE

The relevant regulations have been given due regard in the construction of this Statement.

and

(b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

RESPONSE

The body of this Statement describes the potential impacts upon the natural and built environments and the mechanisms to be incorporated to reduce or prevent these impacts.

(c) *the suitability of the site for the development,*

RESPONSE

The subject site, by virtue of its existing layout, topography and locality is suitable for the proposal

(d) *any submissions made in accordance with this Act or the regulations,*

RESPONSE

Any submissions received in response to Councils notification of the proposal will be considered as part of Councils assessment of the proposal.

(e) *the public interest.*

RESPONSE

The proposal endorses the public interest by developing a part of the subject site which

already contains built form, thereby minimizing any material impacts.

Environmental Planning Instruments

The proposal is a permissible use in the zone.

Development Control Plans

This is addressed in the body of this SEE.

Impact on the Natural Environment.

The proposal is unlikely to unreasonably impact upon flora and fauna, soil or water quality, air quality or the conservation of natural resources due to the location of the works which will ensure the retention of the remainder of the subject site outside the existing footprint.

Impact on the Built Environment.

Scenic qualities – the proposal is consistent with the current and future character of the locality as expressed within the provisions of the Local Environmental Plan and the Desired Future Character as expressed within the Development Control Plan.

Compatibility with adjacent land uses – The proposal is for a residential use, compatible with surrounding residential uses.

Impact on the Social and Economic Environment.

The proposal is unlikely to result in any negative social or economic impacts.

Suitability of the Site.

The subject site, by virtue of its existing development, topography and locality is suitable for the proposal.

6.0 CONCLUSION

It is clearly evident from the accompanying plans and elevations that the subject proposal has been crafted to satisfy the principles of view sharing by maintaining a reasonable sharing of views potentially available from the elevated living areas of the adjacent site at 29 Anana Road.

The potential view corridor is clearly illustrated in the submitted site plan and this is recognised by the proposal in removing a portion of the existing pitched roof and concentrating the upper level built form outside these view corridor lines and providing a resultant flat roof to the previously pitched roof area.

The subject site is significantly constrained in terms of landscaped area by its existing lot size which is well below the permissible minimum lot size which is further eroded by the imposition of restrictions on part of the site for parking and access to an adjacent site. Despite this non-compliance and a minor building envelope non-compliance in one corner, the proposal is a sensitive response to site constraints and is worthy of consent.

LANCE DOYLE

M.Plan (UTS), B.App Sc. (UWS) RPIA

JANUARY 2025

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7.0 COMPLIANCE TABLE

CONTROL	STANDARD	PROPOSAL	COMPLIANCE
PITTWATER LOCAL ENVIRONMENTAL PLAN 2014			
Zoning	R2 Low Density Residential	Permissible	Yes
4.3 Height of Buildings	8.5m	Below 8.5m.	Yes
7.1 Acid Sulfate Soils	Class 5	No disturbance	N/A
7.2 Earthworks		No earthworks proposed	N/A
7.6 Biodiversity Protection		N/A	N/A
7.7 Geotechnical Hazards	Geotechnical Report not required		N/A

PITTWATER DEVELOPMENT CONTROL PLAN

CONTROL	STANDARD	PROPOSAL	COMPLIANCE
Section B General			
B1.3 Heritage Conservation – General	N/A		Yes
B1.4 Aboriginal Heritage		See attached AHIMS	Yes

B3.6 Contaminated Land & Potentially Contaminated Land		No excavation proposed	Yes. Historical residential use.
4.22 Preservation of Trees and Bushland		No works proposed to landscaped area	Yes
B6.3 Off-Street Vehicle Parking Requirements	Two required	Two provided	Yes
B8.1 Construction and Demolition- Excavation and Landfill		Compliance with Australian Standard for Demolition and Workcover	Yes
B8.2 Construction and Demolition- Erosion and Sediment Management	Sediment and erosion control devices and fencing to be provided if required	Minimal excavation	Yes
B8.3 Construction and Demolition- Waste Minimisation		Waste Management Plan, recycling where possible	Yes
B8.4 Construction and Demolition- Site Fencing and Security		Site to be fenced prior to any works commencing	Yes

Section C Development Type Controls			
C1.1 Landscaping	60% Required	25.6% provided	No, existing.
C1.2 Safety and Security	On-going safety and security of the Pittwater community	Safety incorporated into design	Yes
C1.3 View Sharing	A reasonable sharing of views amongst dwellings.	Views retained across site	Yes
C1.4 Solar Access	Residential development is sited and designed to maximise solar access during mid-winter.	3 hours of sunlight to private open space	Yes
C1.5 Visual Privacy	Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.	Privacy protected by design and spatial separation	Yes
C1.6 Acoustic Privacy	Noise is substantially contained within each dwelling.	Acoustic privacy protected by design and spatial separation	Yes

C1.7 Private Open Space	Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants	Areas of private open space are directly accessible from living areas	Yes
C1.12 Waste and Recycling Facilities	Waste and recycling facilities are accessible and convenient, and integrate with the development		Existing
C1.13 Pollution Control	Development that does not adversely impact on public health, the environment or other lands		Yes
C1.23 Eaves	Required	Provided	Yes
C1.24 Public Road Reserve – Landscaping and Infrastructure			N/A
C1.25 Plant, Equipment Boxes and Lift Over- Run	To achieve the desired future character of the Locality	Plant and equipment will be concealed	Yes

Section D Locality Specific Development Controls			
D5.1 Character as viewed from a public place		Consistent with the streetscape	Yes
D5.3 Building colours and materials		To match existing	Yes
D5.5 Front building line	6.5 m or established		Yes
D5.6 Side and rear building line	2.5 to one side, 1.0m to other. Rear 6.5m	Rear 3.815m	Side setbacks yes, rear no, existing.
D5.7 Building Envelope	45 degrees from a height of 3.5 metres above ground		No, on western side. See commentary
D5.9 Landscaped area- Environmentally Sensitive Land	60%	Less than 60% existing	No, Existing
D5.11 Fences- General			Not Applicable
D5.13 Construction, Retaining walls, Terracing and Undercroft areas			Not Applicable

D%.2 Scenic Protection General	To achieve the desired future character of the Locality.	Consistent with evolving streetscape	Yes
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