

STATEMENT OF ENVIRONMENTAL EFFECTS FOR BOATSHED AT 80 HUDSON PARADE CLAREVILLE



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1.0 INTRODUCTION AND BACKGROUND

This Statement of Environmental Effects has been prepared in support of a Development Application for the construction of a boat shed, stairs, decking, retractable ramp and replacement of existing sandstone seawall at 80 Hudson Parade Clareville (Lot 1 DP 499733).



SUBJECT SITE HIGHLIGHTED (NEARMAP)

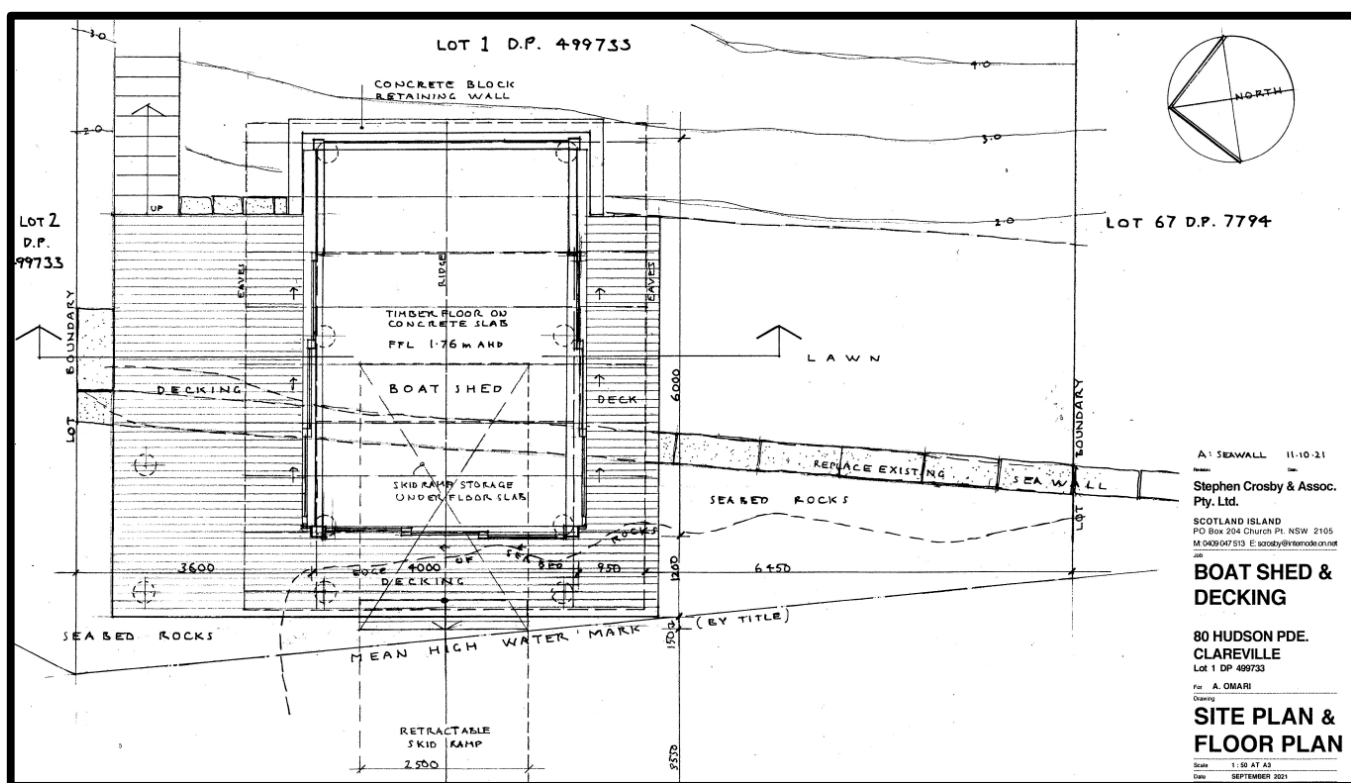
The proposed works as illustrated in the accompanying plans by Stephen Crosby, architect, have been examined by coastal engineers and marine habitat consultants to ensure that the proposal will not materially impact upon marine habitat and the completed proposal will be able to withstand the potential impacts of wave action and potential future storm events.

The proposal is respectful of the land and water interface by ensuring that all works of a permanent nature are contained behind the Mean High Water Mark, the replacement of the existing seawall in the same location will also maintain the integrity of the marine habitat. This is endorsed by the proposed retractable ramp to serve the boat shed which will ensure that the intermittent use of this component will also respect the values of the seabed in the locality.

The subject Development Application is submitted under the provisions of the C4, Environmental Living zone as boat sheds being a water recreation structure are a permissible use whilst the proposed retractable ramp located within the W1 zone is regarded as an ancillary use serving the boat shed and is therefore permissible as an ancillary use.

The proposed ramp is recognized in *D15.12 – development seaward of mean high water mark* of the Pittwater 21 DCP which states that – only structures associated either with the accommodation, serving or provision of access to boats shall be permitted seaward of mean high water mark.

The proposed works are shown in the following extract from the architectural plans submitted with this Statement of Environmental Effects.



During the preparation of this Statement of Environmental Effects, I have attended the subject site and prepared the Statement giving prime consideration to the following documents:

- Plans of the proposal prepared by Stephen Crosby and Associate.
- Pittwater Local Environmental Plan 2014;
- Pittwater 21 Development Control Plan.
- Planning Principles of the NSW Land and Environment Court.
- Geotechnical Report by Ascent Geotechnical.
- Aquatic Ecology Impact Report by Marine Pollution Research
- Acid Sulfate Soil Assessment Report by Marine Pollution Research
- Coastal Engineering Risk Assessment Report by Cardno.

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 am satisfied that the proposal as submitted will allow its use as a boatshed for storage and maintenance of boats and associated watercraft and equipment in a manner that will maintain public access across the site and respect the locality in terms of both visual and environmental criteria.

The proposal is to be located within the lateral limits of the subject site and behind the mean high water Mark and as such it is not anticipated in any navigational impacts will occur as a consequence of this proposal.

2.0 SITE AND LOCALITY



SUBJECT SITE HIGHLIGHTED (SIX MAPS)

The subject site is known as 80 Hudson Parade Clareville (Lot 1 DP 499733).



AERIAL VIEW SHOWING SUBJECT SITE

Statement of Environmental Effects for Boatshed
80 HUDSON PARADE CLAREVILLE

The subject site slopes from the Hudson Parade frontage towards the Pittwater waterfront and contains an existing two storey dwelling and detached garage.

Vegetation on the subject site comprises a variety of landscaping with very little landscaping located on the waterside of the existing dwelling.

The locality along the waterfront in this part of Clareville is typified by similar structures as shown in the photographs following.



LOOKING SOUTH FROM SUBJECT SITE



LOOKING NORTH TO LION ISLAND FROM SUBJECT SITE



VIEW FROM WATERWAY SHOWING LOCATION OF PROPOSED BOATSHED



VIEW FROM DWELLING ON SITE SHOWING LOCATION OF PROPOSED BOATSHED

3.0 PLANNING ASSESSMENT

PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

The majority of the works are being carried out within the C4 zone however, an ancillary retractable access ramp is proposed into the W1 zone.

Zoning – C4 Environmental Living

Objectives of zone

- *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*

RESPONSE

The subject site is zoned C4 Environmental Living under the PLEP, and the proposal will satisfy the C4 Environmental Living zone Objectives as follows-

- Limiting the extent of works to the area of the subject site which will not materially impact upon riparian and foreshore vegetation. This is endorsed by the accompanying Marine Habitat report prepared by Paul Anink, a specialist in marine and estuarine ecology.
- Ensuring that the proposal, by virtue of its limited site disturbance will not affect the above stated values.
- Provide for low-impact ancillary residential development to maintain the aesthetic values of the waterway interface by proposing a boat shed and ancillary structures that are functional and modest in both their footprint and height.

Zone W1 Natural Waterways

• 1 Objectives of zone

- *To protect the ecological and scenic values of natural waterways.*

- *To prevent development that would have an adverse effect on the natural values of waterways in this zone.*
- *To provide for sustainable fishing industries and recreational fishing.*
- *To ensure development does not adversely impact on the natural environment or obstruct the navigation of the waterway.*
- *To provide opportunities for private access to the waterway where these do not cause unnecessary impact on public access to the foreshore.*

RESPONSE

The subject proposal within the W1 zone will have no material impacts upon the locality as the proposed works are limited to any impacts ensuing from the retractable ramp being extended on an intermittent basis.

It is noted that the accompanying report by the marine ecologist notes that the subject ramp, being retractable will not result in any unreasonable or long-term overshadowing of any marine vegetation or marine life and as such, the proposal as an ancillary but necessary component of the use of the boat shed is worthy of support.

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.*

(2A) Despite subclause (2), development on land:

- (a) at or below the flood planning level or identified as “Coastal Erosion/Wave Inundation” on the Coastal Risk Planning Map, and*
- (b) that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map,*
- (c) may exceed a height of 8.5 metres, but not be more than 8.0 metres above the flood planning level.*

(2B) Despite subclause (2), development on land:

- (a) at or below the flood planning level or identified as “Coastal Erosion/Wave Inundation” on the Coastal Risk Planning Map, and*
- (b) that has a maximum building height of 11 metres shown for that land on the Height of Buildings Map, may exceed a height of 11 metres, but not be more than 10.5 metres above the flood planning level.*

RESPONSE

The subject site is bound by a maximum height limit development standard namely of 8.5 m height limit for the C4 Environmental Living Zone. The proposal when completed, will be substantially below the 8.5metre height limit above existing ground level.

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

No earthworks are proposed apart from limited excavation for supporting piles for the boat shed and surrounding deck.

7.6 Biodiversity

(1) The objective of this clause is to maintain terrestrial, riparian and aquatic

biodiversity by:

(a) protecting native fauna and flora, and protecting the ecological processes necessary for their continued existence, and

(b) encouraging the conservation and recovery of native fauna and flora and their habitats.

(2) This clause applies to land identified as “Biodiversity” on the Biodiversity Map.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:

(a) whether the development is likely to have:

(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and

(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and

(iv) any adverse impact on the habitat elements providing connectivity on the land, and

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—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.

RESPONSE

The proposed works on the subject site have been assessed by a qualified and experienced marine ecologist, Mr Paul Anink, who has determined that the proposal will not result in any material adverse impacts upon the marine biodiversity in the locality as follows in the summary of the submitted report –.

It is concluded that of the proposed replacement seawall plus new boatshed, associated decks and retractable ramp at 80 Hudson Parade Clareville can be built and operated in a manner that would meet the aquatic ecological conservation requirements of the Fisheries Management Act (1994) and of Northern Beaches Council DCP provided the Construction Environmental Management Plan (CEMP) prepared for the project includes the construction safeguards outlined in this report and it is further concluded that the project would not require a permit under the NSW Fisheries Management Act 1994 to either harm marine vegetation or for dredging or reclamation.

A copy of the report prepared by Marine Pollution Research report is included in the Development Application documentation to assist Council and DPI Fisheries in their assessment of the proposal.

7.7 Geotechnical hazards

(1) *The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:*

- (a) *matches the underlying geotechnical conditions of the land, and*
- (b) *is restricted on unsuitable land, and*
- (c) *does not endanger life or property.*

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

(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.*
- (4) Development consent must not be granted to development on land to which this clause applies unless:*
- (a) the consent authority is satisfied that the development will appropriately manage waste water, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land, and*
 - (b) the consent authority is satisfied that:*
 - (i) the development is designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development, or*
 - (ii) if that risk or impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that risk or impact, or*
 - (iii) if that risk or impact cannot be minimised—the development will be managed to mitigate that risk or impact.*

RESPONSE

The proposal has been examined by Cardno Engineering, qualified and experienced Coastal Engineers. A copy of their report (attached) concludes that (subject to appropriate safeguards) the proposal is able to be completed without any significant risk to the subject or adjacent sites due to landslip or the like.

Recommendations are contained within the attached report to be incorporated within the development consent to ensure that the recommended safeguards contained within the report are adopted.

5.2 Pittwater 21 Development Control Plan

B3.1 Landslip Hazard Outcomes

Protection of people.

Protection of the natural environment.

Protection of private and public infrastructure and assets.

RESPONSE

The proposal has been examined by the Applicant's Coastal Engineer (Cardno) who have concluded that the proposal will satisfy the above outcomes by providing recommendations to be incorporated within any development consent for the ongoing stability of the proposal.

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 significant vegetation will be impacted upon by the proposed works.

B5.4 Stormwater Harvesting

Outcomes

Minimise quantity of stormwater runoff.

Minimise surcharge from the existing drainage systems.

Reduce water consumption and waste in new development.

Implement the principles of Water Sensitive Urban Design

RESPONSE

The attached architectural plans by Crosby provide details with regard to stormwater.

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 limited to the footprint of the proposed boat shed and the proposed deck. Minimal excavation is required for the proposed structure.

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 subject site will be required to be provided with sediment and erosion control devices as illustrated in the attached Erosion and Sediment control plan by Crosby Architects.
proposed.

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 affected component of the subject site works will be contained within a fenced enclosure for the duration of the demolition and construction works.

B8.6 Construction and Demolition - Traffic Management Plan

Outcomes

Minimal disturbance to the residential community.

Protection of Roads.

RESPONSE

Due to the scale of the proposal, a traffic management plan is not required.

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 not impact upon the current landscaped area apart from the provision of a timber deck and the subject boat shed. The proposal when completed will remain compliant with the landscaping provisions of the DCP.

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 proposal has been crafted to ensure that views across the subject site are unaffected.

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 not reduce solar access to private open space and there will be no overshadowing across any boundaries to areas of private open space.

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 will not be impacted by the proposed use of the structure.

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. There may be some repairs and maintenance work being carried out to watercraft within the completed boat shed however these works if carried out will be bound by the relevant acoustic controls and will be solely conducted in conjunction with the residential use of the subject site.

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 not reduce the quantum of private open space available to occupiers of the existing dwelling. The proposal will provide an additional area of private open space in conjunction with a proposed boat shed for those residents.

D1.1 Character as viewed from a public place

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'.

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

RESPONSE

The proposal has been crafted to ensure that the scale of the proposal accords with the built form of boat sheds along the Clareville foreshore.

D1.5 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 proposal is accompanied by a Schedule of Colours and Finishes prepared by Stephen Crosby Architects.

D1.8 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.

RESPONSE

No changes are proposed to the existing setback to Hudson Parade.

D1.14 Landscaped Area – Environmentally Sensitive Land

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 runoff and assist with stormwater management

RESPONSE

The proposal satisfies the requisite numerical standards.

D1.17 Construction, Retaining walls, terracing and undercroft areas

Outcomes

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

To encourage building design to respond sensitively to natural topography

RESPONSE

Works are being performed to replace the existing sea wall.

D1.20 Scenic Protection Category One Areas

Outcomes

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

To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront.

Maintenance and enhancement of the tree canopy.

Colours and materials recede into a well vegetated natural environment.

To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component

To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.

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

RESPONSE

The proposal will be consistent with the Clareville visual catchment which is typified by dwellings and additional works of the type proposed to accord with the Outcomes sought by the above category statement.

6.0 SECTION

4.15 Evaluation

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 PLEP have been addressed in the body of this Statement.

(i) *any development control plan,*

RESPONSE

The relevant provisions of the Pittwater 21 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

(i) *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

(a) *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

(b) 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

(a) 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.

(c) the public interest.

RESPONSE

The proposal endorses the public interest by developing a part of the subject site in a manner that responds to the subject sites physical and environmental attributes.

(2) Compliance with non-discretionary development standards—development other than complying development

If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

(a) is not entitled to take those standards into further consideration in determining the development application, and

(a) must not refuse the application on the ground that the development does not comply with those standards, and

(c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

(3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:

(a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and

(b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard. Note. The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

(c) may consider those provisions only in connection with the assessment of that development application. In this subsection, standards include performance criteria.

(4) Consent where an accreditation is in force

A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.

(5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).

(6) Definitions

In this section: (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided,

respectively, pursuant to the grant of consent to a development application, and (b) non-discretionary development standards means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

Environmental Planning Instruments

The proposed boat shed is a permissible use in the C4 Environmental Living zone however the proposed ramp although not a permissible use, is ancillary to the use of the boat shed and will be used intermittently in conjunction with the boat shed use by the residents.

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 remainder of the subject site outside the proposed 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 Pittwater Local Environmental Plan 2014 and the Avalon Beach Locality Desired Future Character as expressed within Pittwater 21 Development Control Plan.

Compatibility with adjacent land uses – The proposal is for an ancillary 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

The subject proposal has been crafted in a manner that gives due consideration due to the physical and environmental constraints of the subject site by locating the proposed structure on a part of the site that will not require significant modifications or earthworks within the site and the surrounding adjacent marine environment.

The proposal has been examined by qualified and experienced coastal engineers who have examined the subject site and identified potential hazards as a consequence of weather events and have provided recommendations and endorsements for the proposal to ensure the structure incorporates the ongoing ability to withstand undesirable outcomes due to its location on the foreshore.

The proposal is a permissible use in the C4 zone however the proposal also includes a retractable access ramp to enable watercraft to access the boatshed from the waterway and conversely enable access to the waterway from the boat shed. This use is regarded as an ancillary use within the Waterways zone.

I believe that the proposal responds to the locality in a manner that is endorsed by the provisions of the P21DCP Locality Statement and is worthy of consent.

DECEMBER 2021

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