

STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations and
additions including
landscaping &
remedial works**

**173 Mona Vale Road,
Ingleside**

RESPONSIBLE FOR THIS REPORT:

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TABLE OF CONTENTS

TABLE OF CONTENTS	3
1 Introduction	4
1.1 Description of the proposed development	4
1.2 Statement of Environmental Effects	4
2 Site Analysis	7
2.1 Site and location description	7
2.2 Zoning and key environmental considerations	7
3 Environmental Assessment	13
3.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979	13
4 Section 4.15 (1)(i) the provisions of any environmental planning instrument	14
4.1 Pittwater Local Environmental Plan 2014	14
4.1.1 Zoning	14
4.1.2 Other relevant provisions of the LEP	15
4.2 State Environmental Planning Policy	22
4.2.1 State Environmental Planning Policy - BASIX	22
4.2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021	22
4.2.3 State Environmental Planning Policy (Resilience and Hazards) 2021	22
4.3 Bushfire Prone Land - Rural Fires Act 1997	23
5 Development Control Plan	24
5.1 Overview	24
5.2 Ingleside locality	24
5.3 Key DCP built form controls	25
6 Section 4.15 the Environmental Planning and Assessment Act 1979 – Summary	28
7 Conclusion	29

1 Introduction

1.1 Description of the proposed development

This report is a Statement of Environmental Effects (SEE), pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979.

The development application seeks consent for alterations and additions to the existing place of public worship, the Bahai Temple at 173 Mona Vale Road, Ingleside.

The proposal is depicted in the accompanying landscape plans by Urbis. A summary of the key aspects of the proposal are noted as follows:

- Demolition of existing steps and landings around the Temple.
- Construction of new landings, stairs, and access ramps.
- Remedial building works involving excavation of the surface around the perimeter of the building, waterproofing of the Temple's basement walls, and improved subsoil stormwater drainage to prevent water ingress.
- Landscaping works, including:
 - Formal landscaped gardens within the temple curtilage
 - Planter boxes
 - Seating areas
 - Water features and ponds
 - Circulation paths
 - External lighting

1.2 Statement of Environmental Effects

This Statement of Environmental Effects (SEE) is prepared in response to Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal has been considered under the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979
- Local Environmental Plan
- Relevant State Environmental Planning Policies
- Development Control Plan

The proposal is permissible and conforms with the relevant provisions of the above planning considerations.

Overall, it is assessed that the proposed development is satisfactory, and the development application may be approved by Council.

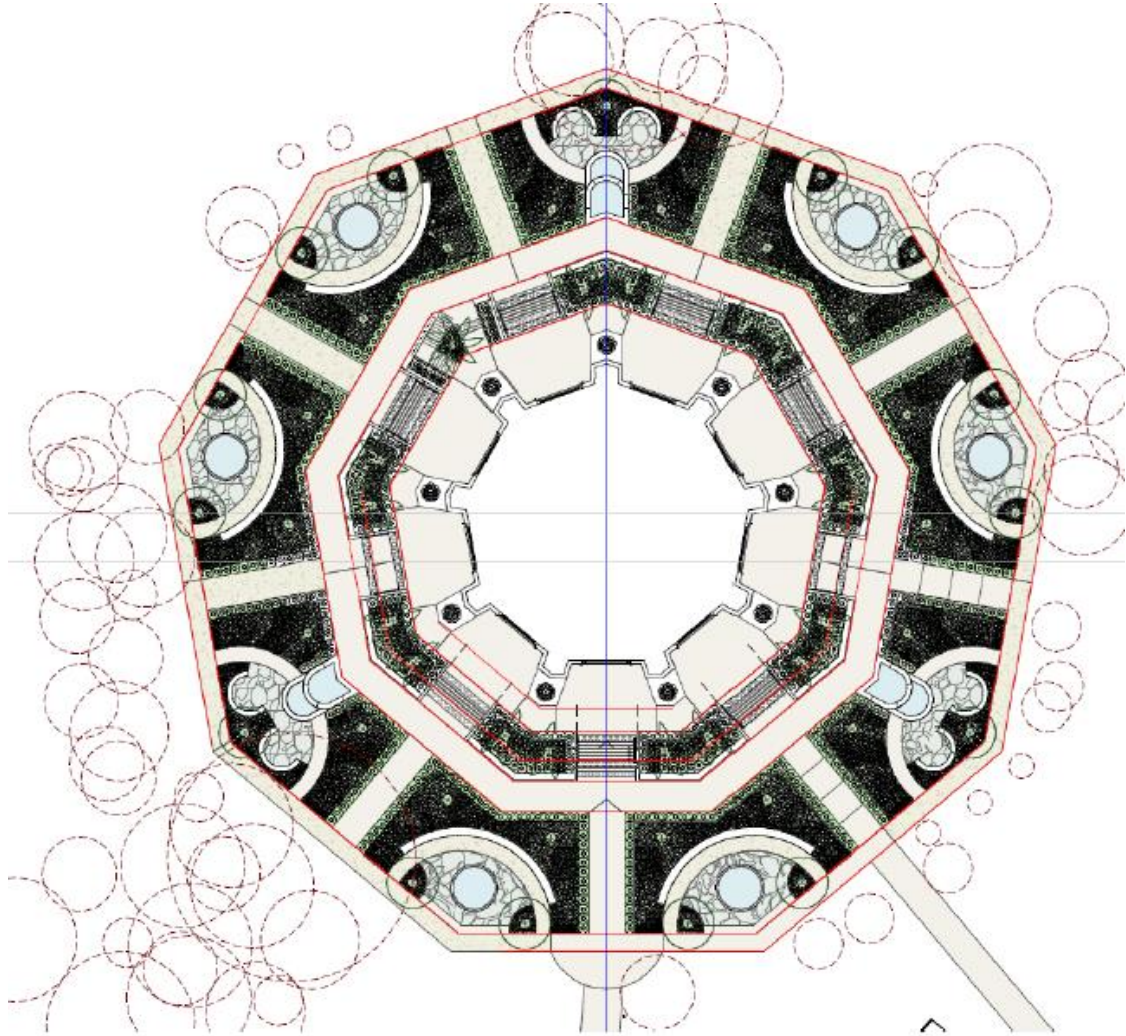


Figure A – excerpt from the DA plans showing an overview of the proposed landscaping works within the building's existing curtilage



Figure B – aerial Image of the existing building within its landscape setting with bushland beyond (Six Maps)

2 Site Analysis

2.1 Site and location description

The site is located at 173 Mona Vale Road, Ingleside and legally described as Lot 52 in Deposited Plan 1152609. The site has a large land area of approximately 14.4ha (Six Maps) within a bushland setting.

The site is located on the western side of Mona Vale Road. Relevant to the subject DA, it contains a temple, driveway, parking area, formal gardens, paths and an access ramp at the front of the temple. Formal gardens within a generally level area surround the building edged by treed bushland areas.

Within the building curtilage the topography slopes modestly. There is a level difference of approximately 3m between the eastern and western extents of the temple's landscaped setting (approximately RL 199 to RL 196), over approximately 80m (a slope of approximately 3 degrees).

The temple, owing to its significant building height and prominent siting, has a large, long distance visual catchment but a small immediate visual catchment. The temple's bushland setting visually screens it from various vantage points within its local setting. There is some visibility to the east and north from adjacent the site. No change is proposed to this circumstance.

The figures on the following pages depict the built form and landscaped character of the property and its existing development.

2.2 Zoning and key environmental considerations

The property is zoned RU2 Rural Landscape under the Pittwater Local Environmental Plan 2014 (LEP) as is most of the surrounding land.

The site is not affected by key environmental considerations like, for example, acid sulfate soils, geotechnical risk, coastal planning, riparian, or flooding.

The site is affected by heritage, biodiversity, land acquisition (road widening) and bush fire. These matters are addressed in Section 4 of this report. There are no zoning or environmental characteristics that present impediments to the improvements proposed to the land.

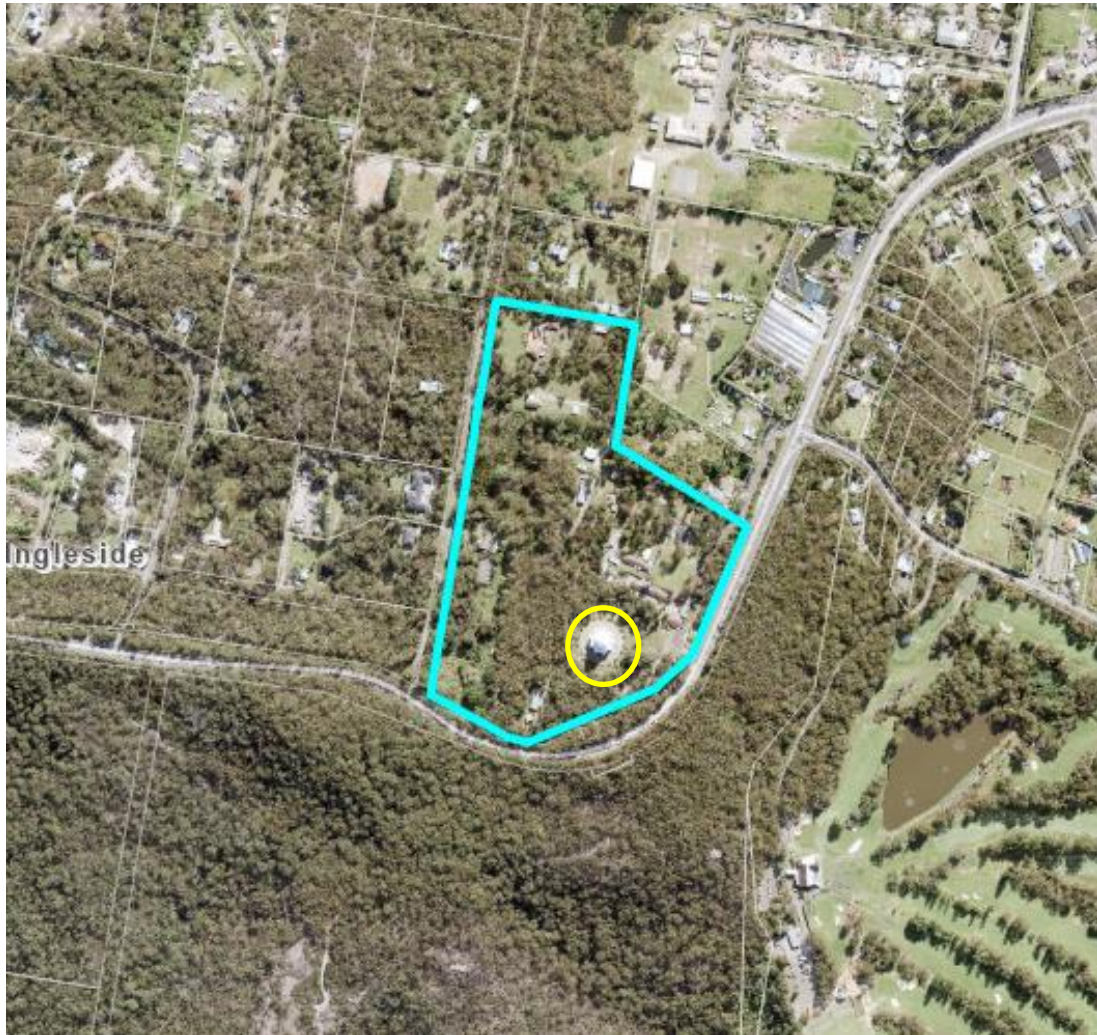


Figure 1 – The subject site and development within the local area (source: Northern Beaches Council)



Figure 2 – the configuration and orientation of the subject site (source: Northern Beaches Council)



Figure 3 – existing building within its landscape setting



Figure 4 – existing building within its landscape setting comprises gentle gradients and formal gardens within the building's curtilage



Figure 5 – existing building within its landscape setting to the south



Figure 6 – existing building within its landscape setting



Figure 7 – existing landscape setting to the south with bushland beyond



Figure 8 – existing landscape setting comprising formal garden and turfed areas with bushland beyond

3 Environmental Assessment

3.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979

The following section of the report assesses the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended.

Under the provisions of the Environmental Planning and Assessment Act 1979 (the Act), the key applicable planning considerations, relevant to the assessment of the application are:

- Pittwater Local Environmental Plan
- State Environmental Planning Policies – as relevant
- Pittwater Development Control Plan

The application of the above plans and policies is discussed in the following section of this report.

The application has been assessed against the relevant heads of consideration under Section 4.15 of the Act; a summary of these matters are addressed within Section 7 of this report, and the town planning justifications are discussed below.

4 Section 4.15 (1)(i) the provisions of any environmental planning instrument

4.1 Pittwater Local Environmental Plan 2014

4.1.1 Zoning

The site is zoned RU2 Rural Landscape pursuant to the provisions of the Pittwater Local Environmental Plan 2014 (LEP).

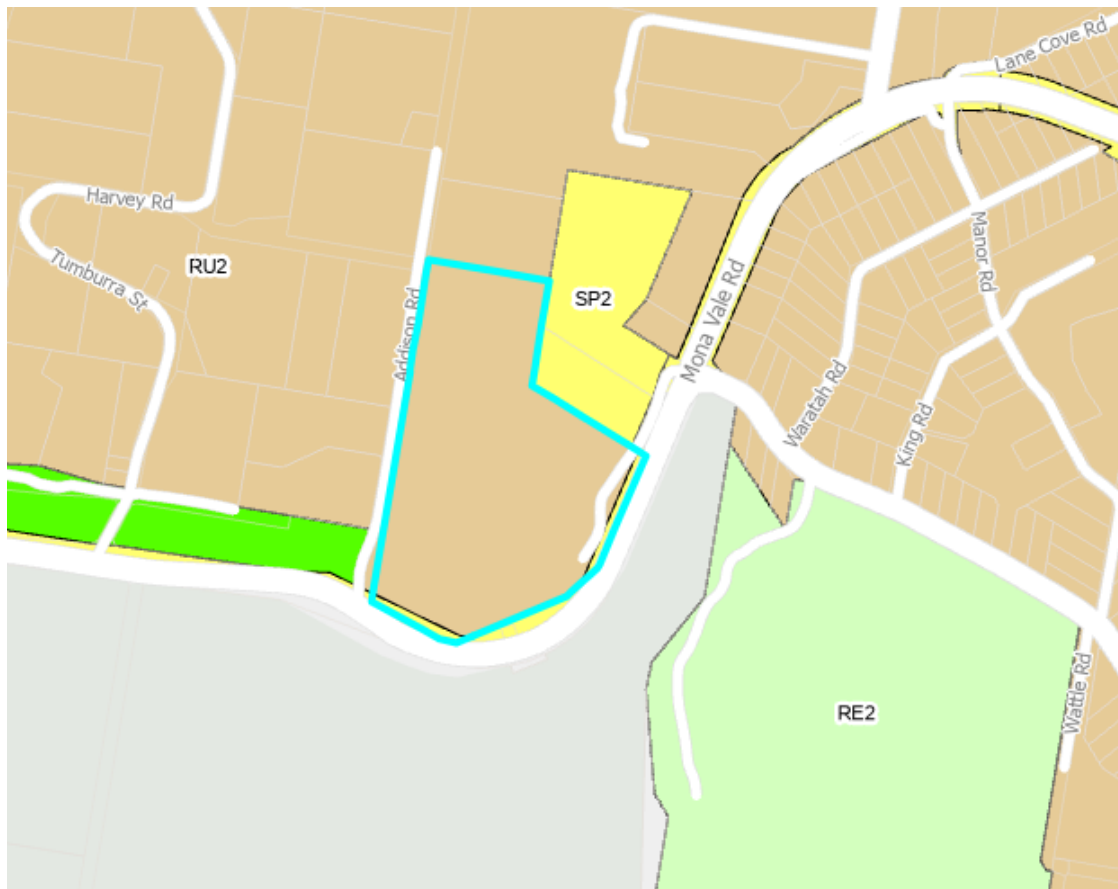


Figure 6 – zone excerpt (source: Northern Beaches Council mapping)

The proposal constitutes alterations and additions to the existing temple (place of public worship) and are permitted with Development Consent.

Clause 2.3(2) of the LEP requires the consent authority to ‘have regard to the objectives for development in a zone’ in relation to the proposal. The objectives of the zone are stated as follows:

‘To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

To maintain the rural landscape character of the land.

To provide for a range of compatible land uses, including extensive agriculture.

To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.

To minimise conflict between land uses within this zone and land uses within adjoining zones'.

It is assessed that the proposed development is consistent with the zone objectives as it:

- will maintain a land use that is compatible with other developments within the visual catchment.
- will enhance the property's landscape qualities.
- maintain the development's position within a landscaped and bushland setting, compatible with the irregular pattern of surrounding development.
- maintain and enhance its heritage qualities.
- does not unreasonably increase the demand for public services or public facilities.
- retains a low impact use on the site which, based on the information accompanying this DA, does not give rise to any unacceptable impacts or generate land use conflicts.

Accordingly, the proposal has had sufficient regard to the zone objectives and there is no statutory impediment to the granting of consent.

4.1.2 Other relevant provisions of the LEP

Other provisions of the LEP that are relevant to the assessment of the proposal are noted and responded to as follows:

LEP Provision	Response	Complies
Part 4 of LEP – Principal Development Standards		
LEP Clause 4.1 Minimum subdivision lot size	NA	NA
LEP Clause 4.3 – Height of Buildings 8.5m	No change to the existing building height is proposed. The proposed alterations and additions are within the limits of the building height standard.	Yes
LEP Clause 4.4 – Floor space ratio	NA	NA
LEP Clause 4.6 – Exceptions to development standards	NA	NA
Part 5 of LEP – Miscellaneous Provisions		
LEP Clause 5.1 Land Reservation Acquisition	Two separate narrow sections of the southern and eastern edges of the site are identified on the LEP Land Reservation Acquisition map as Classified Road (SP2) relating to the widening on the adjacent Mona Vale Road (figure 10 below). Transport for NSW is the relevant	Yes

LEP Provision	Response	Complies
	authority for this land.	
<p>LEP Clause 5.1A Development on land intended to be acquired for public purposes</p> <p><i>(1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.</i></p> <p><i>(2) This clause applies to land shown on the Land Reservation Acquisition Map and specified in Column 1 of the table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1.</i></p> <p><i>(3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that table.</i></p>	<p>As shown within figure 10, the proposed development that is the subject of this DA is not located on or near the two separate narrow sections of the southern and eastern edges of the site.</p> <p>The consent authority may wish to seek the review of the DA by Transport for NSW.</p> <p>Notwithstanding, the consent authority may be satisfied that the proposed development is not located on land to which these provisions apply.</p> <p>The proposed works are satisfactory when considering the assessment matters under 5.1A of the LEP.</p>	Yes
LEP Clause 5.4 Controls relating to miscellaneous permissible uses	NA	NA
LEP Clause 5.10 Heritage Conservation	<p>Pursuant to Clause 5.10 of the LEP, the site is identified as a local heritage item. It is listed as Baha'i House of Worship, Lot 52, DP 1152609, item 2270338, in Schedule 5 of the LEP).</p> <p>In response, the proposal is accompanied and supported by a Heritage report by Urbis. The report assesses the heritage characteristics applicable to the property.</p> <p>The report concludes that the proposed development is appropriate and will have an acceptable heritage impact.</p> <p>Based on the above, the DA has appropriately addressed considerations with regards to its heritage characteristics and clause 5.10 of the LEP is satisfied by the proposal.</p>	Yes
LEP Clause 5.21 Flood planning	NA	NA
Part 7 of LEP – Additional Local Provisions		
LEP Clause 7.1 Acid sulfate soils	The site is identified as being within class 5	Yes

LEP Provision	Response	Complies
	<p>acid sulfate soils.</p> <p>Modest excavation for footings is proposed below the existing levels which are at approximately RL 195 (AHD).</p> <p>Based on the above the proposed development satisfies the considerations within clause 7.1 and the site is suitable for the development proposed.</p>	
LEP Clause 7.2 Earthworks	<p>Modest excavation and filling is proposed. Proposed excavation relates to remedial building works involving waterproofing of the Temple's basement walls to prevent water ingress. Modest filling relates to the proposed landscaped gardens.</p> <p>The application is accompanied by a landscape plan incorporating stormwater management provisions that demonstrate the proposal is appropriate for the site.</p> <p>Stormwater management provisions are incorporated in the proposed landscaping and remedial works. Appropriate provision is made for the management of stormwater and siltation control. Drainage patterns and soil stability will not be adversely impacted.</p> <p>The landscape plan makes appropriate provision for the design of cut, fill, and treatment of the site's external areas. No inappropriate amenity impacts on neighbouring properties relating to earthworks are anticipated from the proposed development.</p> <p>The Development Application is accompanied by a waste management plan which addresses the destination of excavated material. Further conditions of development consent may reasonably be imposed to ensure this occurs in an authorised manner.</p> <p>No significant amount of fill is proposed by the DA. Fill associated with the proposal is appropriately quantified in the accompanying landscape plans.</p> <p>Heritage is relevant to the proposed development. The accompanying Heritage report does not identify adverse impacts from the proposal on the heritage characteristics of</p>	Yes

LEP Provision	Response	Complies
	<p>the property.</p> <p>There are no drinking water catchments or environmentally sensitive areas proximate to the site.</p> <p>Based on the above, appropriate measures are proposed to avoid, minimise, or mitigate the impacts of the proposed development of the land. The siting and design of the proposed development has considered the matters within clause 7.2(3) of the LEP and results in appropriate outcomes against these criteria.</p> <p>The proposed development satisfies the considerations within clause 7.2 and the site is suitable for the development proposed.</p>	
LEP Clause 7.5 Coastal risk planning	NA	NA
LEP Clause 7.6 Biodiversity	<p>Pursuant to Clause 7.6, the site is identified on the biodiversity map.</p> <p>The current use of the land is long established upon the site. It is developed to accommodate a place of public worship and associated structures.</p> <p>The biodiversity mapping generally relates to the ecological community of the Pittwater Spotted Gum. There are no such trees located on the section of the property upon which the subject development is proposed.</p> <p>No designated trees are proposed to be removed by the proposed works.</p> <p>The proposed works utilise a comparable footprint of the existing development located upon the property.</p> <p>The development retains landscaped areas which will incorporate appropriate landscaping and plants.</p> <p>It is considered that the works will not give rise to any inappropriate adverse impacts to the biodiversity value of the area nor any endangered spotted gum trees.</p> <p>Based on the above, it is unlikely that the proposal would have an adverse impact on any threatened ecological community and the provisions of clause 7.6 are satisfied by the proposal.</p>	Yes

LEP Provision	Response	Complies
LEP Clause 7.7 - Geotechnical hazards	<p>The LEP geotechnical map identifies a narrow section of land with geotechnical hazard classified as H1 on the western edge of the allotment (figure 11).</p> <p>The proposed development is located on a hillcrest, on virtually flat land and is appropriately separated from the H1 designated land to the west by more than approximately 150 metres (figure 12, measured using Six Maps).</p> <p>In accordance with 7.7(4), the consent authority may be satisfied that:</p> <ul style="list-style-type: none"> (a) the proposed 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 addressed above in response to LEP clause 7.2; (b) the proposed development is sited to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development. <p>Based on the above the proposed development satisfies the provisions of clause 7.7 of the LEP.</p>	
LEP Clause 7.10 - Infrastructure	The temple is established on the property and is serviced by the appropriate infrastructure.	Yes

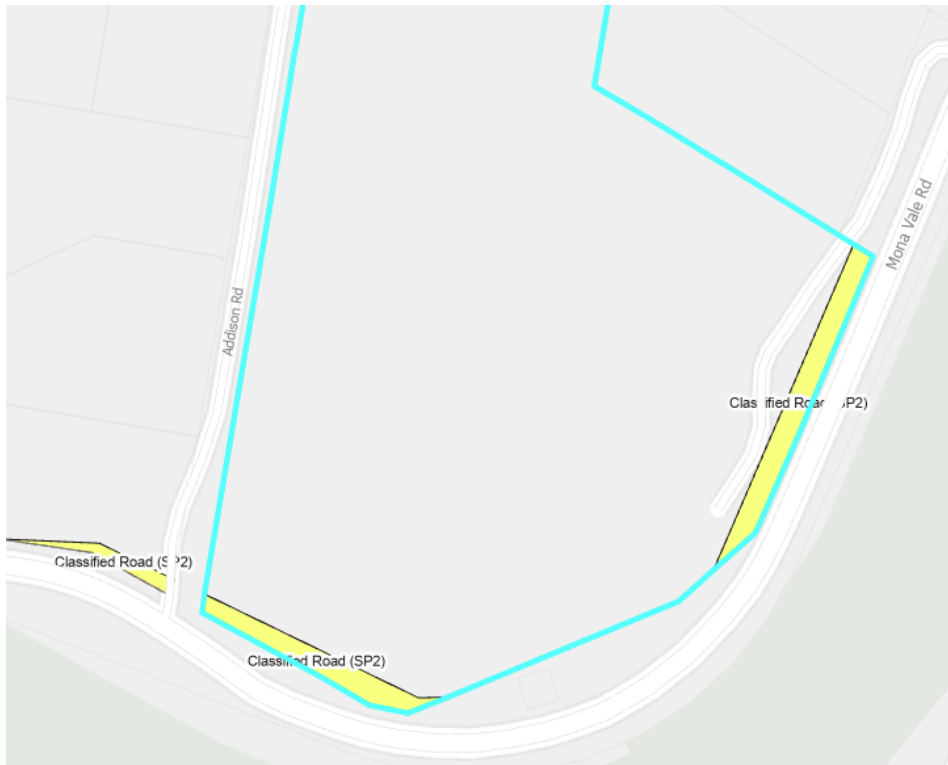


Figure 10 – excerpt from LEP Land Reservation Acquisition map (source: Northern Beaches Council mapping)



Figure 11 – excerpt from LEP geotechnical map (source: Northern Beaches Council mapping)

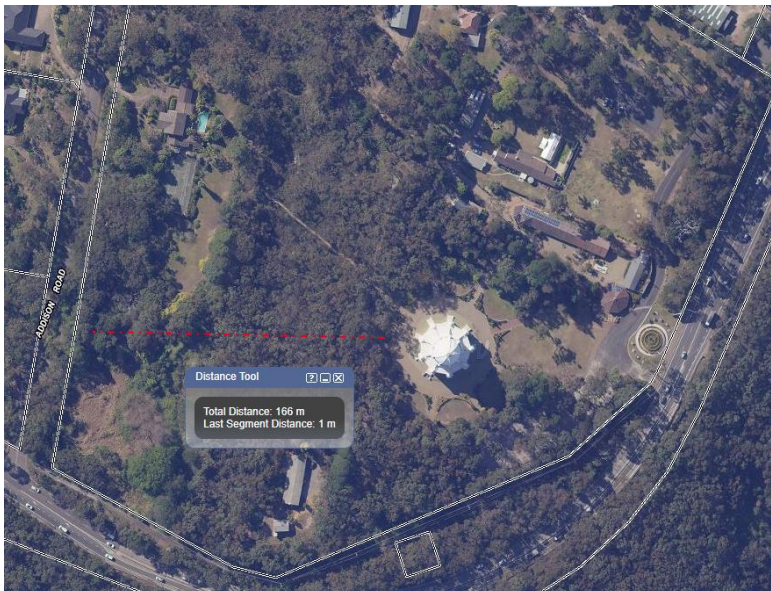


Figure 12 – aerial image showing the approximate distance from the H1 mapped area which is more than 150m away (Six Maps)

4.2 State Environmental Planning Policy

4.2.1 State Environmental Planning Policy - BASIX

The proposed development is not BASIX affected development as prescribed.

4.2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The following aspect of State Environmental Planning Policy (Biodiversity and Conservation) 2021 is applicable are applicable to the land and the proposed development:

- Chapter 2 - Vegetation in Non-Rural Areas

This matter is addressed below.

Chapter 2 - Vegetation in Non-Rural Areas

Vegetation is prescribed under Pittwater DCP for the purposes of the SEPP. The proposal does not involve the removal of any designated trees and therefore the provisions of this policy are satisfied by the proposal.

4.2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The following aspect of State Environmental Planning Policy (Resilience and Hazards) 2021 is applicable to the land and the proposed development:

- Chapter 4 - Remediation of Land

This matter is addressed below.

Chapter 4 – Remediation of Land

Chapter 4 – Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land. Council is required to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is low given the following:

- Council's records indicate that site has only been used as a place of public worship.
- The subject site and surrounding land are not currently zoned to allow for any uses or activities listed in Table 1 of the contaminated land planning guidelines.
- The subject site does not constitute land declared to be an investigation area by a declaration of force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

Given the above factors no further investigation of land contamination is warranted. The site is suitable in its present state for the proposed residential development. Therefore, pursuant to the provisions of the SEPP, Council can consent to the carrying out of development on the land.

4.3 Bushfire Prone Land - Rural Fires Act 1997

The site is within a bushfire prone area and subject to the provisions of the Rural Fires Act 1997. As a result, the proposal is accompanied and supported by a bushfire protection assessment report. Subject to compliance with the report's recommendations, the proposal satisfies planning for bushfire protection requirements.

5 Development Control Plan

5.1 Overview

In response to Section 4.15 (1)(iii) of the Act, the Pittwater Development Control Plan (DCP) is applicable to the property. Relevant provisions of the DCP are addressed below.

5.2 Ingleside locality

In accordance with A1.7 of the DCP, before granting development consent, Council must be satisfied that the development is consistent with (ii) 'the desired character of the Locality'. In response, the property is within the Ingleside Locality.

The DA provides a development of visual interest which harmonises with the locality, established development, and landscaped character of the site.

The proposed works effect a relatively small area of what is a large site. The proposed works are also of a relatively minor nature.

The temple, owing to its significant building height and prominent siting, has a large, long distance visual catchment, but a small immediate visual catchment. The temple's bushland setting visually screens it from various vantage points within its local setting. There is some visibility to the east and north from adjacent the site. No change is proposed to this circumstance.

The proposal consists of the redevelopment of landscape elements including pathways, stairs, and plantings to increase accessibility and revitalise the temple's curtilage.

In addition, the revised stair access and use of appropriate DDA / universal access design will improve the accessibility of the Bahá'í Temple in line with the evolving needs of the community. The accompanying heritage report notes that 'This impact will be positive in retaining the cultural and spiritual significance of the Temple by allowing for ongoing connection to be maintained with its target audience'.

The accompanying plans and this report demonstrate that the proposal has been designed to meet the desired future character through its form, setbacks, maintenance of the development pattern, along with the quality of the design and materials.

The proposed alterations and additions will enhance the built form and landscape character of the site noting:

- The proposal maintains the existing built form and setback pattern responsive to the irregular shape and orientation of the allotment.
- Compliant setbacks are proposed.
- The site of the proposed works are mostly screened from the streetscape by the existing vegetation.
- An enhanced landscape planting regime is proposed for the site.
- There will be no inappropriate impacts on the amenity of the adjoining properties.
- The proposal is appropriate in its context and compatible with the development within the local area.
- External materials and finishes will be compatible with the surrounding environment and the land's established function.

5.3 Key DCP built form controls

A table demonstrating compliance with the relevant provisions of the DCP is detailed as follows.

Control	Requirement	Proposed	Complies?
Part D: Locality Specific Development Controls			
Front building line	20m	No change	NA
Side and rear building line	Side: 7.5m Rear: 7.5 m	Sides: greater than 30m to eastern boundary greater than 150m to western boundary Rear: greater than 30m to southern boundary	Yes Yes Yes
Building Envelope	3.5m at 45 degrees measured at the side boundary	No change	NA
Landscaped Area - General	96% of the total site area minus 400 square metres.	The proposed development will not make any significant change to the existing composition of hard paved and landscaped areas contained on the property. The proposal will enhance the quality of the formal landscaped curtilage to the temple in a manner that is compatible with the heritage characteristics of the property. The existing landscaped area will be maintained by the proposed development.	Yes
Views C1.3	New development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	Given the topography the siting of existing development and nature of the proposed works, the proposal will not inappropriately impede any established views from surrounding residential properties or public vantage points. The proposal will achieve an appropriate view sharing	Yes

		outcome and the provisions of this control are satisfied by the proposal.	
Solar Access C1.4	Min 3 hours to each proposed dwelling within the site. Min 3 hours to neighbouring dwellings private open space areas.	The proposal will not reduce the available sunlight to the adjoining properties and the provisions of the control are satisfied.	Yes
Privacy C1.5	Privacy DCP's objectives.	The proposal will not appropriately affect the visual privacy of the neighbouring properties and the provisions of the control are satisfied.	Yes
Private Open Space (PoS) C1.7	NA	NA	NA
Part B: General Controls			
B5.10 Stormwater Discharge into Public Drainage System.	Connected by gravity means to street or established piped system.	Connected by gravity means to the existing system as shown of the plans that accompany the DA.	Yes
B6.5 - Car Parking	As per car parking rates.	No change to existing on-site car parking spaces. No additional GFA is proposed to the existing place of public worship.	NA
RESIDENTIAL DEVELOPMENT CONTROLS			
Character as viewed from a public place	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.	The proposed development will improve the property's built-form quality and landscape character, noting the context and character of the surrounding development. The proposal will present appropriately to surrounding land.	Yes
Scenic Protection - General	Achieve the desired future character of the Locality. Bushland landscape is the	The proposed development will be within a landscaped setting and will present appropriately to the	Yes

	predominant feature of Pittwater with the built form being the secondary component of the visual catchment.	surrounding land. The proposal is of a character and scale that will be compatible with the site's context.	
Building Colours and Materials	<p>The development enhances the visual quality and identity of the streetscape.</p> <p>To provide attractive building facades which establish identity and contribute to the streetscape.</p> <p>To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.</p> <p>The colours and materials of the development harmonise with the natural environment.</p> <p>The visual prominence of the development is minimised.</p> <p>Damage to existing native vegetation and habitat is minimised.</p>	<p>The proposed alterations and additions will present appropriately to the public spaces around the property.</p> <p>The proposed materials and finishes will employ tones compatible with the location and context.</p> <p>The proposed materials and finishes satisfy heritage considerations.</p>	Yes

6 Section 4.15 the Environmental Planning and Assessment Act 1979 – Summary

The proposal has been assessed having regard to the matters for consideration pursuant to S.4.15 of the Act and to that extent Council can be satisfied of the following:

- There will be no significant or unreasonable adverse built environment impacts arising from the proposed physical works on the site.
- The site is appropriate for accommodating the proposed development. The proposal has sufficiently addressed environmental considerations. There will be no significant or unreasonable adverse environmental impacts arising from the proposal.
- The proposal will result in positive social and economic impacts, noting:
 - Employment during the construction phase of the works;
 - Economic benefits, arising from the investment in improvements to the land;
 - Social benefits arising from the improvements to the land.
- The proposal is permissible and consistent with the objectives of the zone, pursuant to the LEP. The proposal satisfies the provisions of the relevant provisions of the council's DCP.
- It is compatible with the current and likely future character of development within the local context.
- It will not result in any significant unacceptable offsite impacts that limit the use or enjoyment of nearby or adjoining land.
- The proposal will have an acceptable impact when considering key amenity issues such as visual impact, views, overshadowing, noise and privacy.
- Given the site's location and established function, the site is assessed as being entirely suitable for the proposed development.
- The public interest is best served through the approval of the application.

7 Conclusion

The application seeks development consent for alterations and additions to the existing Bahai Temple at 173 Mona Vale Road, Ingleside

The proposed development is permissible and consistent with the provisions of the planning controls as they are reasonably applied to the site.

This report demonstrates that the proposal is appropriately located and configured to complement the property's established character.

The proposed development will not give rise to any unacceptable environmental, amenity, or streetscape consequences.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 and should be granted development consent.

BBF Town Planners

Michael Haynes - Director