

Statement of Environmental Effects

8 Walsh Street
North Narrabeen NSW 2101

Development Application for:
Retention of existing dwelling and one-into-two lot subdivision

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1 Introduction

Council Approval Group has been engaged by Damian and Lisa Spinks to prepare and submit a Development Application for a proposed one-into-two lot Torrens title subdivision at 8 Walsh Street, North Narrabeen. Once determined, this proposal will retain the existing dwelling on the front lot (Lot 1) and create a residual vacant lot (Lot 2) at the rear of 8 Walsh Street, North Narrabeen.

Specifically, this Statement of Environmental Effects (SoEE) includes:

- an analysis of the subject site and the surrounding locality;
- a description of the proposed development;
- an analysis of the proposal against the provisions of the Pittwater LEP 2014, relevant SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- conclusion.

This SoEE is submitted in accordance with the requirements of the Environmental Planning and Assessment Act and Regulation for the purposes of

- demonstrating that the environmental impact of the development has been considered; and
- outlining the steps to be undertaken to protect the environment and to mitigate any potential harm, if necessary.

This SoEE concludes that the proposal is consistent with the objectives and provisions of the *LEP 2014*.

2 The Subject Site and Locality

2.1 Description of site and surroundings

The site is located at 8 Walsh Street, North Narrabeen and described in the table below. The location of the subject property is shown on the location and aerial maps at Figures 1 and 2. A Google street image of the property is included at Figure 3. The property is located in the Northern Beaches Council area.

The site is improved with single storey dwelling of brick and tile roof dating from c.1960. A pool and ancillary sheds are also located within the rear yard of the property. The land is relatively level and vehicular access is taken from Walsh Street along the western boundary. The surrounding land use/streetscape is characterised by residential development, including single dwellings and multi dwelling housing.

The deposited plan and certificate of title for the subject property do not identify any easements on the lot. All other services are available to the site and can be extended to service the proposed new dwelling at the rear.

Address	Title Details	Site Area	Site Frontage
8 Walsh Street, North Narrabeen NSW 2101	Lot 86, DP 11809	1,048 sqm (Survey)	15.24 metres (Survey)

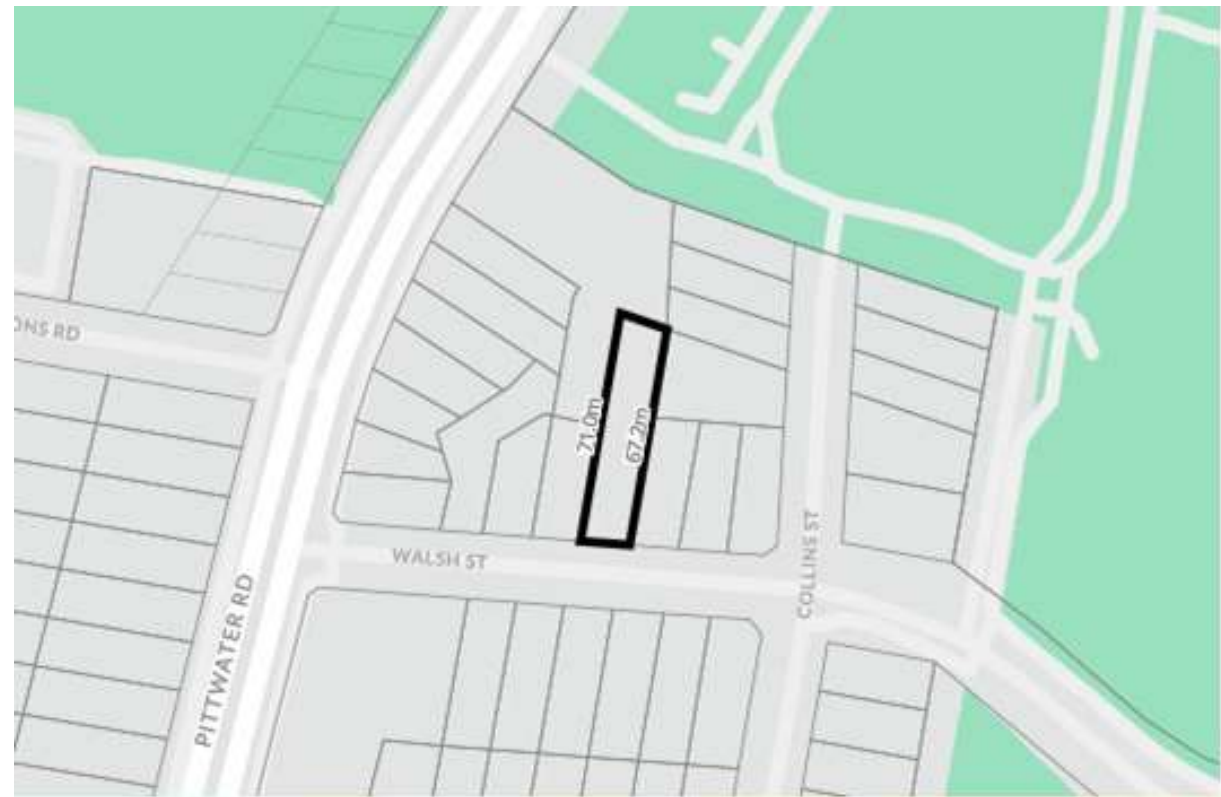


Figure 1: Site location (Source: Landchecker)



Figure 2: Site aerial (Source: Landchecker)



Figure 3: Google Street View

2.2 Summary environmental mapping constraints

The land is mapped with the following mapping constraints under the LEP:

- Floor Space Ratio: not applicable
- Building Height: 8.5 m
- Minimum Lot Size: 550 sqm
- Heritage: not applicable
- Acid Sulfate Soils: Class 3

2.3 Site zoning

The site is zoned under Pittwater Local Environmental Plan 2014 (LEP) as Low Density Residential (R2) Zone.

3 The Proposed Development

3.1 Description of proposed development

It is proposed to retain the existing dwelling and undertake a one-into-two lot, Torrens Title subdivision to create two lots as follows:

- Proposed Lot 1 - 548m² including 110.16 m² access handle
- Proposed Lot 2 - 500m² obtaining access over proposed Lot 1.

4 Local Environmental Plan

4.1 Pittwater Local Environmental Plan 2014

Pittwater Local Environmental Plan 2014 (LEP) applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the Plan.

Zoning and Permissibility

Part 2 of LEP identifies that the subject site is zoned Low Density Residential (R2) Zone. The Land Use Table for the zone is as follows:

2. Permitted without consent

Home businesses; Home occupations

3. 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 structures

4. Prohibited

Any development not specified in item 2 or 3

Compliance with the zone objectives are stated below:

LEP Clause / Provision	Comment
The objectives of the Low Density Residential (R2) Zone are as follows: To provide for the housing needs of the community within a low density residential environment.	It is considered that the proposal is consistent with these objectives, in that: The proposed subdivision will be provide a smaller, more manageable lot for the existing dwelling, while creating a rear lot for the construction of a dwelling in the future;
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The proposal provides an environmentally sustainable development type by retaining

LEP Clause / Provision	Comment
To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.	<p>the existing dwelling;</p> <p>The rear lot will provide the opportunity for additional low-density housing for a new owner and their family;</p> <p>The subdivision will not adversely impact the site or surrounding land uses; and</p> <p>The subdivision will not affect access to local services and infrastructure.</p>

Other Relevant Clauses

LEP Clause / Provision	Comment
<p><u>Clause 4.1 Minimum subdivision lot size</u></p> <p>(1) The objectives of this clause are as follows—</p> <p>(a) to protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality,</p> <p>(b) to provide for subdivision where all resulting lots are capable of providing for the construction of a building that is safe from hazards,</p> <p>(c) to provide for subdivision where all resulting lots are capable of providing for buildings that will not unacceptably impact on the natural environment or the amenity of neighbouring properties,</p> <p>(d) to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,</p> <p>(e) to provide for subdivision where all resulting lots can be provided with adequate and safe access and services,</p> <p>(f) to maintain the existing function and character of rural areas and minimise fragmentation of rural land,</p> <p>(g) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.</p> <p>(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.</p> <p>(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p> <p>(3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.</p> <p>(4) This clause does not apply in relation to the subdivision of any land—</p> <p>(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or</p> <p>(b) by any kind of subdivision under the Community Land Development Act 2021.</p>	<p><u>Variation required</u></p> <p>The subject site is mapped with a Minimum Lot Size (MLS) of 550 m² for Torrens Title subdivision on the <i>Lot Size Map</i>. The area calculations must exclude the access handle.</p> <p>The proposed lots will be less than the minimum lot size standard as follows:</p> <ul style="list-style-type: none"> Proposed Lot 1 - 437.95 m² excluding the 110.16 m² access handle Proposed Lot 2 - 500m² <p>A Clause 4.6 variation may be used to apply for a departure from the minimum lot size as the variation required is approximately 20.% for proposed Lot 1 and 9.1 % for proposed Lot 2</p> <p>Refer to amended Clause 4.6 variation report submitted with the documents, justifying the departure from the minimum lot size standard.</p>
<p><u>Clause 4.3 Height of buildings</u></p>	<p><u>Complies</u></p> <p>The subject site is mapped with a limit of 8.5m as per the <i>Height of Buildings Map</i>. (Area 3).</p> <p>No changes are proposed to the existing dwelling, which is approximately 6.2 metres high, therefore, compliance is achieved with</p>

LEP Clause / Provision	Comment
	this clause.
<p><u>Clause 7.10: Essential services</u></p> <p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable vehicular access.</p>	<p><u>Complies</u></p> <p>Water, electricity, sewer and stormwater infrastructure is located in the Walsh Street road reserve. The existing dwelling is provided with these services, and they will be made available to the rear lot via an easement within the carriageway proposed.</p> <p>Suitable vehicular access can be provided to the existing dwelling and to the rear lot over the existing access and driveway.</p>

4.2 Development Control Plan

4.2.1 Pittwater 21 Development Control Plan 2004

Pittwater 21 Development Control Plan 2004 applies to the subject site. The following provides an assessment of the proposed development against the relevant provisions of the Plan, being Section B General Controls, Section C Development Type Controls and Section D Locality Specific Development Controls.

DCP Clause / Provision	Statement of Compliance
<u>Section B General Controls</u>	
<u>B2 Density Controls</u>	
<u>B2.2 Subdivision - Low Density Residential Areas</u>	
<p>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) shall have a minimum lot depth of 27 metres.</p> <p>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 1 on the Landscaped Area Map shall have a minimum lot width at the building line of 16 metres.</p> <p>Any lot (or lots) to be created by a subdivision of an existing lot (or lots) on land identified as Area 2 or 3 on the Landscaped Area Map shall have a minimum lot width at the building line of 15 metres.</p> <p>Any lot (or lots) are to be capable of providing for the construction of a building which is safe from hazards, does not unreasonably impact on the natural environment, does not adversely affect heritage, and can be provided with adequate and safe access and services.</p> <p>A person shall not subdivide land if the allotment(s) intended to be created have a slope in excess of 16.7 degrees (30%), measured between the highest and lowest points on any such allotment(s).</p> <p>The minimum area for building shall be 175m².</p>	<p><u>Complies</u></p> <p>Each lot will have a depth in excess of 27 metres and is therefore compliant with this requirement.</p> <p>The subject site is mapped as within Area 3 on the Landscaped Area Map and as the site has a width of 15.24 metres the proposed subdivision will be compliant with this requirement.</p> <p>The size of the proposed lots has been designed to ensure that adequate parking arrangements can be accommodated on the site without compromise to the amenity of the Lot or the surrounding area.</p> <p>A new car parking area can be located behind the existing dwelling on proposed Lot 1. The new vacant lot to the rear (Lot 2) can accommodate a building area of 175 sqm and a new car park.</p> <p>The shared driveway for the two sites will reduce the visual impact from the street</p>

DCP Clause / Provision	Statement of Compliance
	compared with creating an additional driveway to serve a new car park for proposed lot 1.
B3 Hazard Controls	
B3.11 Flood Prone Land	
<p>1. Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property.</p> <p>2. Development on flood prone land requires the preparation of a Flood Management Report by a suitably qualified professional.</p>	<p><u>Complies</u></p> <p>According to the flood information the subject site is mapped as medium risk to the front portion (Lot 1) of the site and a mix of medium and low risk to the rear (Lot 2). The maximum flood depth from natural ground level is 0.6 at 1% AEP event. The flood planning level is 3.2 m AHD.</p> <p>The proposed subdivision creates an opportunity to develop the resultant vacant lot with a dwelling at some point in the future. As such this relates to a small development which is likely to create minimal flood storage loss when compared to the whole catchment and could adequately be mitigated through adapting ground levels at the time of the development.</p>
B6 Access and parking	
B6.1 Access Driveways and Works on the Public Road Reserve (extracted to what is relevant to this application)	
<p>General Requirements</p> <p>Access Driveways include the driveway pavements, gutter crossings, supporting retaining walls, suspended slabs and related structures located on the public road reserve between the road edge and property boundary as illustrated in Appendix 10 -Driveway Profiles.</p> <p>An Access Driveway to the standards as set out below must be provided for:</p> <ul style="list-style-type: none"> any new development; any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m²; and where additional car parking spaces and/or garages are proposed. <p>Where there is an existing driveway and the applicant proposes to retain the existing driveway, the applicant will be required to demonstrate compliance with this control.</p> <p>Access Driveway Design</p> <p>The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:</p> <ul style="list-style-type: none"> Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking. Australian Standard AS/NZS 2890.2-2002: Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities except as qualified in this control. <p>Number of Access Driveways per Allotment</p>	<p><u>Complies</u></p> <p>Access to the existing dwelling (Lot 1) will be provided using the existing access crossing and driveway location from Walsh Street.</p> <p>A right of carriageway (3 metres wide) along the driveway for Lot 1 will provide access to the proposed vacant lot to the rear (Lot 2).</p>

DCP Clause / Provision	Statement of Compliance												
<p>The number of permissible Access Driveways to an allotment is as follows:</p> <ul style="list-style-type: none">where the frontage of an allotment to a local public road is less than 30m, one only access driveway.where the frontage of an allotment to a local public road is 30m or more, a second access driveway will be considered on merit.where the allotment has a frontage to a second local public road, one additional access driveway to the second local road frontage will be considered on merit, based on Council's consideration of the site constraints. <p>Council, under the Local Government Act 1993, may direct as to which frontage access is to be gained where traffic safety issues are a consideration.</p> <p>Shared Driveways and Access Driveways located in front of adjoining properties</p> <p>Shared Access Driveways shared between adjoining private properties and Access Driveways located in front of adjoining properties will be considered on merit, based on Council's consideration of the site constraints.</p> <p>Access Driveway Location</p> <p>Access Driveways shall be designed and located to provide adequate sight distance to maximise pedestrian and vehicular safety as follows:</p> <ul style="list-style-type: none">minimum clear distance along the road frontage edge of kerb of 50 metres for 40 and 50 kph speed limit roads measured from a point on the centreline of the driveway 2.5 metres from the face of kerb; andminimum clear distance along the frontage footway of 5 metres, measured from a point on the centreline of the driveway 2.5 metres from the edge of footway area closest to property boundary. <p>The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.</p> <p>Access Driveway Width</p> <p>The maximum width of an Access Driveway for dual occupancies, dwellings houses, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation shall be as follows:</p> <table><tr><th>Distance Building Line to Boundary</th><th>Width at Boundary</th><th>Width at Kerb</th></tr><tr><td>Nil to 3.5m</td><td>Width of car parking area or garage opening</td><td>Width of car parking area or garage opening plus 0.5m</td></tr><tr><td>Greater than 3.5m to 6.5m</td><td>4.0m</td><td>4.5m</td></tr><tr><td>Greater than 6.5,</td><td>3.0m</td><td>3.5m</td></tr></table> <p>Access Driveway width can be varied subject to a merit based consideration.</p>	Distance Building Line to Boundary	Width at Boundary	Width at Kerb	Nil to 3.5m	Width of car parking area or garage opening	Width of car parking area or garage opening plus 0.5m	Greater than 3.5m to 6.5m	4.0m	4.5m	Greater than 6.5,	3.0m	3.5m	
Distance Building Line to Boundary	Width at Boundary	Width at Kerb											
Nil to 3.5m	Width of car parking area or garage opening	Width of car parking area or garage opening plus 0.5m											
Greater than 3.5m to 6.5m	4.0m	4.5m											
Greater than 6.5,	3.0m	3.5m											
B6.2 Internal Driveways													
<p>General</p> <p>An Internal Driveway must be provided for in:</p> <ul style="list-style-type: none">any new development;development where additional car parking spaces and/or garages are required by Council's plans or policies;	<p><u>Complies</u></p> <p>A right of carriageway (3 metres wide) along the driveway for Lot 1 will provide access to the proposed vacant lot to the rear (Lot 2).</p>												

DCP Clause / Provision	Statement of Compliance
<ul style="list-style-type: none"> any alterations and additions where the sum of the additional Gross Floor Area (GFA) of the dwelling exceeds 30 m² ; and development where additional car parking spaces and/or garages are proposed. <p>If the applicant proposes to retain the existing driveway, the applicant will need to demonstrate compliance with the outcomes and driveway standards of this control.</p> <p>Driveway width for dual occupancies, dwellings, secondary dwellings, exhibition homes, rural works dwellings and tourist and visitor accommodation.</p> <p>The Internal Driveway shall be contained within the driveway corridor. The minimum width of the driveway corridor (i.e. impervious pavements together with grassed shoulder area) shall be as follows:</p> <p>Single Dwelling: 3.0 metres minimum.</p> <p>Dual Occupancy: 3.0 metres minimum.</p> <p>Combined driveway for more than 2 dwellings: 3.0 metres minimum except where the driveway length exceeds 40 metres, a passing bay to an overall minimum width of 5.0 metres for a length of 10 metres with suitable transitions to the adjacent narrow driveway.</p>	
B6.3 Off street Vehicle Parking Requirements	
<p>An adequate number of parking and service spaces that meets the demands generated by the development.</p> <p>Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.</p> <p>Safe and convenient parking.</p>	<p><u>Complies</u></p> <p>The size of the proposed lots has been designed to ensure that adequate parking arrangements can be accommodated on the site without compromise to the amenity of the Lot or the surrounding area.</p>
Section C Development Type Controls	
<p>C1.1 Landscaping</p> <p>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.</p> <p>In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.</p> <p>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.</p> <p>Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted.</p>	<p><u>Complies</u></p> <p>Each lot can achieve 50% landscape area.</p> <p>Adequate setbacks compliant with Council DCP standards can be provided for both lots as shown on the subdivision plan.</p> <p>It is premature and unusual for Council to request a landscape plan at subdivision stage. This can be dealt with at house construction stage.</p>

DCP Clause / Provision	Statement of Compliance
<p>The following soil depths are required in order to be counted as landscaping:</p> <p>300mm for lawn</p> <p>600mm for shrubs</p> <p>1metre for trees</p> <p>The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:</p> <p><u>60% for a single dwelling house, secondary dwelling.</u></p> <p>Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.</p> <p>Landscaping shall not unreasonably obstruct driver and pedestrian visibility.</p> <p>Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.</p> <p>Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.</p> <p>Variations</p> <p>Where canopy trees are to be retained on a site, planting of additional canopy trees shall be assessed on a merit basis.</p> <p>Where street trees are provided or canopy trees are provided in a courtyard, provision of landscaped areas shall be assessed on a merit basis for shop top housing.</p> <p>Advisory Notes</p> <p>For species lists please refer to Pittwater Council's <i>Native Plants for your Garden</i> available on Council's website.</p> <p>For specific details on landscaping refer to Pittwater Council's Appendix 9 Landscape and Vegetation Management of this DCP.</p> <p>Canopy trees selected should be capable of achieving the desired level of canopy cover for the site within 5 - 10 years of completion of the development.</p> <p>As part of the landscaping works associated with the development any existing variety of Leightons cypress pine / Leyland cypress (x<i>Cupressocyparis leylandii</i>) on the site are to be identified and nominated for removal and replacement planting consistent with Council's <i>Native Plants for Your Garden</i> guidelines and relevant identified 'vegetation community' provided (details of which are available on Council's website at www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants).</p> <p>Information to be included in the Statement of Environmental Effects</p> <p>An analysis of the proposal demonstrating that the built form of the development is to be dominated and complimented by landscaping, or retaining existing vegetation, and the proposed landscaping reflects the scale and form of the development.</p> <p>Technical Reports and Supporting Information</p> <p>A landscaping plan and accompanying details shall be provided. The plan should have sufficient detail to clearly demonstrate that the outcomes of the control will be achieved.</p>	

DCP Clause / Provision	Statement of Compliance
<p>The plan needs to include a plant schedule which lists the scientific names (inclusion of common names as well would be preferred but not essential) of all plants to be used and their quantities.</p> <p>The site plan must include the location of all plants (either through labeling or a code/key). Marking out sections and listing numerous species is not generally acceptable unless they are ground covers and the quantities are still listed.</p> <p>Landscaping plans shall include elevations of the development when viewed from public places and surrounding properties, showing the combined impact of trees and vegetation to be retained as well as plantings to be implemented as part of the development proposal.</p> <p>The landscaping plan is to be prepared by an appropriately qualified person (e.g. AILA listed Landscape Architect) and should provide sufficient details for assessment of the proposal in terms of the visual character of the proposal and the sustainability of the proposed landscaping.</p> <p>Landscape plans should also incorporate recommendations of any Arborist Reports or Bushland Management Plans. Note if a Vegetation Management Plan has been required a Landscape Plan may not be required providing the outcomes of this control are covered in the Vegetation Management Plan.</p> <p>The plan should show : -</p> <p>Street tree planting to the Building Frontage (minimum 8m soil volume per tree)</p> <p>Existing trees and vegetation to be retained, and any existing trees to be removed (as per the arborist report)</p> <p>Proposed canopy tree plantings</p> <p>Garden areas sufficient to soften scale / bulk of the proposed buildings.</p> <p>Planting schedule indicating upper-advanced planting to garden areas</p> <p>Schedule of materials including:-</p> <p>Pavement type / installation</p> <p>Root barriers / structural soil</p> <p>Stormwater drainage</p> <p>Pits and utility lines</p> <p>Seating / lighting</p> <p>Irrigation (drip/stationed)</p> <p>Landscape</p> <p>When is a Landscaping plan NOT REQUIRED ? Where a proposal : -</p> <p>Does not involve changes to the external appearance, or increase the footprint of an existing building and / or</p> <p>Does not cause any substantial change to the visual character of the site.</p> <p>A landscaping plan is not required provided trees and vegetation are to be retained, and proposed canopy tree planting and screen planting details are shown on the ground floor plans.</p>	
<p>C1.7 Private Open Space</p> <p>Private open space shall be provided as follows:-</p>	<p><u>Complies</u></p> <p>More than 80m² of private open space per</p>

DCP Clause / Provision	Statement of Compliance
<p><u>a) Dwelling houses:-</u></p> <p>Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.</p> <p>Within the private open space area, a minimum principal area of 16m² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</p> <p>Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.</p> <p>Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).</p> <p>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</p> <p>Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private.</p> <p>Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.</p> <p>An accessible and usable area for composting facilities within the ground level private open space is required</p>	<p>dwelling at ground level, with no dimension less than 3 metres can be provided for each dwelling as demonstrated on the DA plans, sheet 003.</p> <p>No part of the 80% is located in the front yard.</p> <p>Within each private open space area, a minimum principal area of 16m² with a minimum dimension of 4m can be provided.</p>
C1.17 Swimming Pool Safety	<p><u>Complies</u></p> <p>The existing pool will be demolished prior to construction certificate being issued</p>
<u>C4 Design Criteria for Subdivision</u>	
<u>C4.1 Subdivision – Protection from hazards</u>	
<p>All subdivision is to be designed such that adequate building platforms/building areas are provided that have a low risk due to hazards including flood, landslip, bushfire, coastline and estuarine hazards.</p> <p>The subdivision must not have any adverse affect or provide a threat on public or private infrastructure, assets and people in the vicinity.</p>	<p><u>Complies</u></p> <p>The proposed subdivision will allow the newly created vacant lot to the rear (Lot 2) to have an adequate building area. The subdivision will not create adverse impacts on the surrounding area.</p>
<u>C4.2 Subdivision – Access Driveways and Of street Parking Facilities</u>	
<p>(i) Off-Street Parking Requirements</p> <p>The design of each individual lot created within the subdivision is to provide for off street parking facilities compatible with the proposed development uses for that lot.</p> <p>(ii) Access Driveways (ie: driveway crossings)</p> <p>A safe and functional access driveway must be designed and constructed from the road edge/kerb and gutter to the lot boundary for each individual lot within the subdivision as part of the subdivision works.</p>	<p><u>Complies</u></p> <p>The proposed subdivision has been designed to ensure that adequate parking arrangements can be accommodated on the site without compromise to the amenity of the Lot or the surrounding area.</p> <p>The front lot (Lot 1) could accommodate two parking spaces, whilst the rear lot (Lot 2) has</p>

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<p>Only one driveway access to a public road is permitted for each lot.</p> <p>(iii) Internal Driveways</p> <p>The design of each individual lot created within the subdivision is to provide for an internal driveway compatible with the proposed development uses for each individual lot.</p> <p>Where an internal driveway is located within a 'right of way' or proposed 'right of way', the internal driveway is to be designed and constructed as part of the subdivision works.</p>	<p>ample area to accommodate two spaces and manoeuvring for any future dwelling. The car parking spaces are indicative only.</p> <p>The existing vehicular crossover and access via Walsh Street will be retained. A right of carriageway will be created along the 3-metre-wide driveway will provide access to the rear lot (Lot 2).</p> <p>It is accepted that the driveway would need to be constructed prior to Certification of the subdivision being issued. It is expected that the Northern Beaches Council will condition this as part of any DA approval.</p>
<u>C4.3 Subdivision - Transport and Traffic Management</u>	
<p>Where development generates pedestrian, traffic and transport requirements in excess of the capacity of the road and transport network, the capacity of the surrounding public infrastructure and transport network is required to be upgraded to at least match the additional demands generated by the development.</p> <p>Any improvement works external to the development site, required to ensure the development complies with this control, must be provided as part of the development at the full cost to the applicant.</p> <p>A traffic assessment is to be undertaken in accordance with the RTA Guidelines for Traffic Generating Developments or similar guidelines.</p> <p>All proposed traffic facilities must comply with the Roads and Maritime Services and/or relevant Australian Standards and be approved by Council's Traffic Committee when on local roads or the Roads and Maritime Services on classified roads.</p>	<p><u>Complies</u></p> <p>It is anticipated that the additional load imposed on the existing transport network will be minimal as this application relates only to the creation of one additional lot suitable for future development as a single residence.</p>
<u>C4.5 Subdivision - Utility Services</u>	
<p>All lots created within the subdivision are to be fully serviced by:</p> <ul style="list-style-type: none"> • Electricity • Water • Gas • Communications • Sewer <p>All existing and proposed utility services to the site (where not already located underground) are to be located underground within the proposed road reserve within the developed lands and within the lots created within the subdivision.</p> <p>All utility services existing or otherwise located (where not already located underground) on the perimeter of the subdivision lands within the road reserve or within adjacent public reserves (within a distance of 6m from the boundary) are to be relocated underground for the width of the development site frontage to the public reserve or public road reserve.</p> <p>Design and construction of the undergrounding of utility services are to be at full cost to the developer.</p>	<p><u>Complies</u></p> <p>Water, electricity, sewer and stormwater infrastructure is located in the Walsh Street road reserve. The existing dwelling is provided with these services, and they will be made available to the rear lot via the easement within the carriageway proposed.</p> <p>Suitable vehicular access can be provided to the existing dwelling and to the rear lot over the existing access and driveway.</p>
<u>C4.6 Service and delivery vehicle access in subdivisions</u>	
<p>Roads and access ways within the subdivision are to be designed and</p>	<p><u>Complies</u></p>

DCP Clause / Provision	Statement of Compliance
constructed to accommodate access for waste, recycling, service, emergency and delivery vehicles.	<p>The 3-metre wide, shared driveway will be suitable for emergency and delivery vehicles such as would typically service a residential lot in this part of North Narrabeen.</p> <p>Waste collection to both lots will be kerbside collection as per the current conditions for the subject site.</p>
<u>C4.7 Subdivision - Amenity and Design</u>	
<p><u>Subdivision Design</u></p> <p>Subdivision should be designed to ensure that</p> <ol style="list-style-type: none"> all properties, both existing and proposed, achieve/retain a level of amenity commensurate with the locality and the desired character of the area; the impact on the environment of the completed development (including buildings to be constructed on the proposed lots) has an acceptable impact on the environment. <p>A comprehensive site analysis taking into account the following characteristics is to be carried out as part of the subdivision design process. This analysis should take into account the final development which will occur on the site as a result of the subdivision. The analysis and resultant subdivision design should address the following issues:-</p> <ul style="list-style-type: none"> the slope, topography and any natural features (e.g. creeklines); trees and vegetation (particularly trees worthy of retention); viewlines from within the proposed lots and from adjoining properties; solar access to the subdivision site; the side, rear and front setbacks of future dwellings and structures in relation to the proposed new boundaries and development on adjoining properties; the visual impact of built development which will occur as a result of the subdivision process (building height, bulk and scale, visual impact of buildings); the provision of vehicular access to the future buildings on the proposed lots; the provision of landscaping and/or recreation space for each proposed lot; the provision of onsite car parking on each proposed lot; the provision of services to each lot, including sewerage, water, electricity, communications and gas (where available); the provision of emergency services to each (bushfire, fire brigade, ambulance). <p>In order to address these issues, a building envelope area is to be nominated on each proposed lot within which any future building is to be contained. The application should clearly demonstrate that a building envelope can be built on site that has regard for the following:</p> <ul style="list-style-type: none"> retention of trees and bushland, vehicular access, provision of services, 	<p><u>Complies</u></p> <p>The size of the proposed lots has been designed to ensure that adequate parking arrangements can be accommodated on the site without compromise to the amenity of the Lot or the surrounding area.</p>

DCP Clause / Provision	Statement of Compliance
<ul style="list-style-type: none"> • provision of emergency services, • and safety from hazard, • A building which achieves the desired character of the area and is commensurate with the amenity standards of surrounding development, and does not overly impact on the environment, and can be erected within that envelope. <p>In this regard, an assessment of the buildings which will be erected as a result of the proposed subdivision is to be carried out demonstrating that the requirements and outcomes of the controls in this DCP which will apply to those buildings will be able to be complied with.</p> <p><u>Usable Site Area</u></p> <p>Where a right-of-carriageway to another lot is provided over a lot, the width of that right-of-carriageway shall not be more than 20% of the required minimum width of the lot over which it is located.</p> <p>Where an allotment has a boundary dimension of 6.5 metres or less to a road, then the site area of the allotment shall be increased by 20% over that required for the area.</p>	
<u>C4.8 Subdivision - Landscaping on the Existing and proposed public road reserve frontage to subdivision lots</u>	
<p><u>Landscaping General</u></p> <p>Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres.</p> <p>Street trees are to be planted to encourage the free passage of pedestrians along the road verge and not interfere with existing power lines.</p> <p>Tree species are to be a minimum 35 litre size with 1m x1m hole and backfilled with planting medium. Trees are to be appropriately supported by two stakes (minimum 50mm x 50mm) with hessian ties.</p> <p>All existing trees over 3m in height and native vegetation and trees within the road reserve areas are to be retained where practical. Such trees are to be protected through perimeter 1.8m high temporary fencing during the construction of works.</p> <p>Selected species are to as per the existing adjacent street trees or native species to the area.</p> <p>Council encourages the use of local endemic native species according to the list of local native species in Pittwater http://www.pittwater.nsw.gov.au/environment/plants_and_animals/native_plants/species_lists</p> <p>Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.</p>	<p><u>Complies</u></p> <p>This application is for subdivision only. The existing dwelling and vehicular entrance is being retained which will not create any impacts on the street trees or the presentation of the property to the street.</p> <p>It is envisaged that additional planting on the site might be implemented in the future with the development of the vacant lot (Lot 2) with a dwelling.</p>
<u>Section D Locality Specific Development Controls</u>	
<u>D11 North Narrabeen Locality</u>	
<p><u>D11.1 Character as viewed from a public place</u></p> <p>General service facilities must be located underground.</p> <p>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.</p>	<p><u>Complies</u></p> <p>Suitable arrangements to extend and provide services to each site can be made and conditioned and dealt with at subdivision certificate stage.</p>
<p>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</p>	<p>This application is for subdivision only. The existing dwelling is to be retained as will the existing vehicular access from Walsh Street,</p>

DCP Clause / Provision	Statement of Compliance
<p>with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.</p> <p>Walls without articulation shall not have a length greater than 8 metres to any street frontage.</p> <p>Any building facade to a public place must incorporate at least two of the following design features:</p> <ol style="list-style-type: none"> 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. <p>The bulk and scale of buildings must be minimised.</p> <p>Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>General service facilities must be located underground.</p> <p>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.</p>	<p>therefore retaining the exiting presentation to this part of the streetscape.</p> <p>The subdivision provides for a compatible infill subdivision within the low-density residential environment.</p> <p>The proposed subdivision will be providing a smaller, more manageable lot for the existing dwelling, while creating a rear lot suitable for the construction of a dwelling in the future</p>
<p>D11.7 Side and rear building line</p> <p>The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:</p> <p>Land zoned R2 Low Density Residential</p> <p>Side & Rear Building Line Setback (metres)</p> <p>2.5 to at least one side; 1.0 for other side</p> <p>6.5 rear</p> <p>For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:</p> <p>satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and</p> <p>Council is satisfied that the adjoining properties will not be adversely affected, and</p> <p>the pool or spa is not more than 1 metre above ground level (existing), and</p> <p>that the outcomes of this clause are achieved without strict adherence to the standards, and</p> <p>where the site constraints make strict adherence to the setback impractical,</p>	<p>Complies. All side and rear building setbacks can be complied with, 2.5 m to one side and 1m for the other side. A 6.5m rear setback can be provided for both lots.</p> <p>The existing pool will be removed</p>

DCP Clause / Provision	Statement of Compliance
<p>and</p> <p>where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.</p>	
<p>D11.10 Landscaped Area – General</p> <p>The total landscaped area on land zoned R2 Low Density Residential shall be 50% of the site area.</p> <p>The use of porous materials and finishes is encouraged where appropriate.</p> <p>Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.</p> <p>Variations</p> <p>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</p> <p>impervious areas less than 1 metre in width (e.g. pathways and the like);</p> <p>for single dwellings on land zoned R2 Low Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).</p>	<p>The total landscaped area for each lot is 50% of the site area.</p> <p>A landscape plan can be provided when a dwelling approval is applied for on proposed lot 2</p>

4.3 Section 4.15 Considerations

4.3.1 Suitability of the site

The previous sections of this report have demonstrated the suitability of the site for the proposed usage, particularly in terms of:

- The proposal is consistent with the existing development within the locality.
- The proposal is consistent with the objectives and development standards applying to the land.
- Overall the development is considered an appropriate usage of the site.

4.3.2 Public interest

The proposal is considered to accord with the wider public interest in that:

- It provides an appropriate use of the site;
- It will have a positive effect on the streetscape and immediate locality; and
- It is consistent with all relevant LEP aims and objectives

4.3.3 Section 4.15 of the Environmental Planning and Assessment Act, 1979

Matters for Consideration	Considered?
Section 4.15 (1) (a)(i) – Has consideration been given to all relevant provisions of any relevant environmental planning instrument?	Yes
Section 4.15 (1) (a)(ii) – Has consideration been given to 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)?	Yes
Section 4.15 (1) (a)(iii) – Has consideration been given to all relevant provisions of any provisions of any development control plan?	Yes
Section 4.15 (1) (a)(iia) – Has consideration been given to all relevant provisions of 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?	N/A
Section 4.15 (1) (a)(iv) – Have you considered all relevant provisions of the Regulations (to the extent that they are prescribed for the purposes of this paragraph)?	Yes
Section 4.15 (1) (b) – Are the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality acceptable?	Yes
Section 4.15 (1) (c) – Is the site suitable for the development?	Yes
Section 4.15 (1) (d) – Has consideration been given to any submissions made in accordance with the EPA Act or EPA Regulations?	TBA by Council
Section 4.15 (1) (e) – Is the proposal in the public interest?	Yes

5 Summary and Conclusion

Council Approval Group is pleased to submit this Statement of Environmental Effects and accompanying information for a proposed one-into-two lot Torrens title subdivision at 8 Walsh Street, North Narrabeen.

This Statement of Environmental Effects for the proposed development has considered:

- the circumstances of the case;
- an analysis of the subject site and the surrounding locality;
- an analysis of the proposal against the provisions of the *LEP 2014*, as well as relevant DCPS, SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- Section 9.1 Directions.

This report concludes that the proposal will substantially complement the objectives and vision of the Plan, Zone, and DCP in particular:

- The subdivision provides for a compatible infill subdivision within the low-density residential environment (LEP);

- The rear lot will provide the opportunity for additional low-density housing for the owner being the applicant (LEP);
- The proposed subdivision will be providing a smaller, more manageable lot for the existing dwelling, while creating a rear lot suitable for the construction of a dwelling in the future (LEP);
- The proposal provides an ecologically sustainable development type by retaining the existing dwelling (LEP and DCP);
- The subdivision has been designed to achieve access, privacy, amenity and suitable stormwater management (DCP);
- The subdivision will not adversely impact the onsite or surrounding land uses (LEP and DCP); and
- The subdivision will not affect access to local services and infrastructure (LEP and DCP).

We are pleased to present this SoEE for a one-into-two lot subdivision which, once approved, will create an additional residential lot. This in turn will retain the residence for the owner of the existing dwelling and create a residual site at the rear for the construction of a future dwelling for the applicant. Not only does this support intergenerational living, community relationships and neighbourhood, it will also help to address the demand for such low-density housing diversity in the Northern Beaches municipality.

5.1 Recommendation

Under all the circumstances of the case, it is therefore recommended to Council for favourable consideration.