

STATEMENT OF ENVIRONMENTAL EFFECTS
FOR A NEW BUILD
AT 1E BUNGAN HEAD RD, NEWPORT
NORTHERN BEACHES COUNCIL

PREPARED BY
DESIGN TRIBE PROJECTS

ON BEHALF OF
JONATHAN CASE

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1.0 INTRODUCTION

This document has been prepared in order to provide information about the proposed new build at 1E Bungan Head Rd, Newport. It also aims to assist with assessment of the Development Application lodged with Northern Beaches Council.

A range of documents have been relied upon in the preparation of this SEE including, but not limited to, the following;

- SEPP: (BUILDING SUSTAINABILITY INDEX: BASIX) 2004
- PITTWATER LOCAL ENVIRONMENTAL PLAN 2014
- PITTWATER 21 DEVELOPMENT CONTROL PLAN

DEVELOPMENT HISTORY

N/A

This report should be read in conjunction with the Architectural Plans prepared by Design Tribe Projects.

2.0 SUBJECT SITE AND LOCALITY

Address	1E Bungan Head Rd, Newport 2106
DP Plan number	LOT 3 DP 1167665
Site Area Approx.	811.70m ² (by survey)
Street Frontage	17m (by survey)
Existing Building Footprint	N/A
Land Zoning map	E4 – Environmental Living
Local Government Area	Northern Beaches Council



IMAGE 1: Location

Land Details from
NSW Land and
Property Management
Authority
"Six Maps"

The image indicates
the site boundary in
red and the surrounding
context

2.1 SUBJECT SITE AND LOCALITY

The current plot of land is unoccupied with no freestanding or built structures. The lot slopes steeply towards the Barrenjoey Road with views towards the Marina (west) and Bungan Beach (east) from the top. The subject site features a large amount of natural vegetation and native bushland and the sloping site naturally lends itself to ample sunlight throughout the day.

There is a parcel lot of mature trees that have been lopped prior to purchase and identified on the survey. The general locale features free standing dwellings on regular shaped lots that are terraced to work with the surrounding landscape with Bungan Head Road to the North and Barrenjoey Road to the West.

3.0 PROPOSED DESIGN

The proposed design is a new dwelling house consisting of:

1. New 2 – storey dwelling cantilevered on pilotis.
2. Freestanding garage (2 car).
3. Elevated timber decking and stair to bridge terrain slope.
4. Native landscaping throughout.

4.0 PLANNING CONTROLS COMPLIANCE TABLE

4.1 SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

State Environmental Planning Policies (SEPPs) deal with issues significant to the state and the people of New South Wales. They are made by the Minister for Planning, and are used in the Governments Design Review Panel. The relevant SEPP for the proposed development of 1E Bungan Head Rd, Newport, is [SEPP \(Building Sustainability Index: BASIX\) 2004](#).

A BASIX certificate that highlights a commitment to meet sustainability in building and in building material selection is completed and is in compliance.

4.2 PITTWATER LOCAL ENVIRONMENT PLAN 2014

PERFORMANCE CRITERIA	DESIGN SOLUTION	PROPOSED	COMPLIANCE
Land zoning	<p>E4 Environmental Living</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> 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. <p>2 Permitted without consent Home businesses; Home occupations</p> <p>3 Permitted with consent Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; 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; Water recreation structures</p> <p>4 Prohibited Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3</p>	The proposal will retain its existing use as a private residence.	YES
Height of buildings	<p>The maximum building height of proposed development must not exceed 8.5 m.</p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,</p> <p>(b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,</p> <p>(c) to minimise any overshadowing of neighbouring properties,</p> <p>(d) to allow for the reasonable sharing of views,</p> <p>(e) to encourage buildings that are designed to respond sensitively to the natural topography,</p> <p>(f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.</p> <p>(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.</p> <p>(2A) Despite subclause (2), development on land:</p> <p>(a) at or below the flood planning level or identified as "Coastal Erosion/Wave Inundation" on the Coastal Risk Planning Map, and</p> <p>(b) that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map, may exceed a height of 8.5 metres, but not be more than 8.0 metres above the flood planning level.</p>	<p>The proposed residential dwelling has a maximum height above natural ground level of 7.528M.</p> <p>The proposal sits well below the 8.5M maximum height threshold and is compliant.</p> <p>Although a 2 storey dwelling, the proposal responds to the slope of the land is read as a "single storey" mass for most of the length of the lot.</p>	YES















	<p>(2B) Despite subclause (2), development on land:</p> <p>(a) at or below the flood planning level or identified as "Coastal Erosion/Wave Inundation" on the Coastal Risk Planning Map, and</p> <p>(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.</p> <p>(2C) Despite subclause (2), development on an area of land shown in Column 1 of the table to this subclause and identified as such on the Height of Buildings Map, may exceed the maximum building height shown on the Height of Buildings Map for that land, if the height of the development is not greater than the height shown opposite that area in Column 2.</p> <table><tr><th>Column 1</th><th>Column 2</th></tr><tr><th>Area level</th><th>Max. height above flood planning</th></tr><tr><td>Area 1</td><td>11.5m</td></tr><tr><td>Area 2</td><td>8.5m (street frontage), 10.5m (rear)</td></tr><tr><td>Area 3</td><td>8.5m</td></tr><tr><td>Area 4</td><td>7.0m</td></tr></table> <p>(2D) Despite subclause (2), development on land that has a maximum building height of 8.5 metres shown for that land on the Height of Buildings Map may exceed a height of 8.5 metres, but not be more than 10.0 metres if:</p> <p>(a) the consent authority is satisfied that the portion of the building above the maximum height shown for that land on the Height of Buildings Map is minor, and</p> <p>(b) the objectives of this clause are achieved, and</p> <p>(c) the building footprint is situated on a slope that is in excess of 16.7 degrees (that is, 30%), and</p> <p>(d) the buildings are sited and designed to take into account the slope of the land to minimise the need for cut and fill by designs that allow the building to step down the slope.</p> <p>(2E) Despite subclause (2), development for the purposes of shop top housing on land identified as "Area 5" on the Height of Buildings Map may have a height of up to 10 metres if the top floor of the building is setback a minimum of 6 metres from the boundary to the primary street frontage.</p> <p>(2F) Despite subclause (2), development on land identified as "Area 6" on the Height of Buildings Map must not exceed 8.5 metres within the area that is 12.5 metres measured from the boundary of any property fronting Orchard Street, Macpherson Street, Warriewood Road or Garden Street.</p> <p>(2FA) Despite subclause (2), the maximum height for a secondary dwelling or a rural worker's dwelling in Zone E4 Environmental Living or Zone RU2 Rural Landscape is 5.5 metres if the secondary dwelling or rural worker's dwelling is separate from the principal dwelling.</p> <p>(2FB) Despite subclause (2), in the case of a dual occupancy (detached), the maximum height for the dwelling that is furthest back from the primary street frontage of the lot is 5.5 metres.</p>	Column 1	Column 2	Area level	Max. height above flood planning	Area 1	11.5m	Area 2	8.5m (street frontage), 10.5m (rear)	Area 3	8.5m	Area 4	7.0m	<p>The proposal has been stepped and terraced to ensure cut and fill is minimised during construction as shown in Elevation and Section plans submitted.</p>	
Column 1	Column 2														
Area level	Max. height above flood planning														
Area 1	11.5m														
Area 2	8.5m (street frontage), 10.5m (rear)														
Area 3	8.5m														
Area 4	7.0m														

4.3 NORTHERN BEACHES COUNCIL COMPREHENSIVE DEVELOPMENT CONTROL PLAN

SECTION C1 – LOW DENSITY RESIDENTIAL

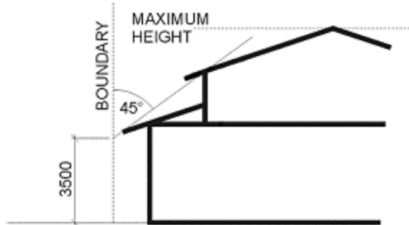
PERFORMANCE CRITERIA	DESIGN SOLUTION	PROPOSED	COMPLIANCE
DEVELOPMENT CONTROLS – GENERAL RESIDENTIAL DEVELOPMENT			
C1.4 Solar Access	<p>Outcomes</p> <p><i>Residential development is sited and designed to maximise solar access during mid-winter. (En)</i> <i>A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)</i> <i>Reduce usage and/dependence for artificial lighting. (En)</i></p> <p>Controls</p> <p><i>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</i></p> <p><i>Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).</i></p> <p><i>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</i></p> <p><i>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</i></p> <p><i>The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.</i></p> <p>Variations</p> <p><u>General</u></p> <p><i>Where the following constraints apply to a site, reasonable solar access to the main private open space and to windows to the principal living area will be assessed on a merit basis:</i></p> <ul style="list-style-type: none"> <i>where the orientation or shape of a lot precludes northerly orientation (20° west to 30° east of north),</i> <i>where there is adverse slope or topography,</i> <i>where there is existing vegetation, obstruction, development or fences that overshadow, or</i> <i>where other controls have priority, e.g. heritage and landscaping considerations.</i> <p><i>Subject to a merit assessment, consent may be granted where a proposal does not comply with the standard, provided the resulting development is consistent with the general principles of the development control, the desired future character of the locality and any relevant State Environmental Planning Policy.</i></p>	<p>The proposal is designed to allow at least 3 hours of sunlight to private open spaces to east, north and west between 9am and 3pm (eastern deck + drying courtyard, north courtyard, western decking).</p> <p>Existing residential dwellings to the north and north – west of the property remain unaffected by the proposal. The lot to the south is currently vacant and an accurate assessment of solar access is difficult to complete. This said the form and scale of the proposed dwelling is conservative, and height modest in scale, aligning with existing developments to surrounding lots.</p> <p>Solar collectors positioned on first floor allow for 6 hours min. sunlight collection between 8am and 4pm, positioned to north and east aspects.</p>	YES

<p>C1.7 Private Open Space</p>	<p>Outcomes</p> <p><i>Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)</i> <i>Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)</i> <i>Private open space receives sufficient solar access and privacy. (En, S)</i></p> <p>Controls</p> <p><i>Private open space shall be provided as follows:-</i></p> <p><u><i>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</i></u></p> <p><i>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.</i></p> <p><i>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%).</i></p> <p><i>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.</i></p> <p><i>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).</i></p> <p><i>Private open space should be located to the rear of the dwelling to maximise privacy for occupants.</i></p> <p><i>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.</i></p> <p><i>A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.</i></p> <p><i>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.</i></p> <p><i>An accessible and usable area for composting facilities within the ground level private open space is required.</i></p>	<p>The northern courtyard measures 3.4m x 4.7m and has an area of 16.4sqm and contains no slope. The courtyard is to be directly accessed via living room and dining area. The courtyard is oriented to receive ample northern light throughout the day whilst maximising privacy for occupants.</p> <p>Due to the nature of the terrain, a west – facing deck directly off the primary living and dining space is proposed to facilitate entertaining and enjoy district views and vistas.</p> <p>In addition to the above, the terrain from the base of the garage to the first flight of access stairs externally will be well – landscaped with native species (see Landscape Plan as submitted), enhancing private open space to the front of the dwelling. Due to the limitations presented by the lot, a breakup as shown below would be a “best – case” situation for private open space for the current proposal.</p>	<p>YES</p>
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		Private open space to the front of the dwelling: 111 m2 Private open space (Courtyard Deck): 16.4 m2	
LOCALITY SPECIFIC DEVELOPMENT CONTROLS – NEWPORT LOCALITY			
D10.4 Building Colours and Materials	<p>Outcomes</p> <p><i>Achieve the desired future character of the Locality. The development enhances the visual quality and identity of the streetscape. (S)</i></p> <p><i>To provide attractive building facades which establish identity and contribute to the streetscape.</i></p> <p><i>To ensure building colours and materials compliments the visual character of its location with the natural landscapes of Pittwater.</i></p> <p><i>The colours and materials of the development harmonise with the natural environment. (En, S)</i></p> <p><i>The visual prominence of the development is minimised. (S)</i></p> <p><i>Damage to existing native vegetation and habitat is minimised. (En)</i></p> <p><i>The use of materials with low embodied energy is encouraged. (En)</i></p> <p><i>New buildings are robust and durable with low maintenance requirements. (S)</i></p> <p><i>In the Newport Commercial Centre, roofs of lighter colours are permitted to improve the thermal performance of the roof system. (En, Ec, S)</i></p> <div style="display: flex; flex-wrap: wrap; justify-content: space-around;"> <div style="text-align: center;">  Black ✓ </div> <div style="text-align: center;">  Dark grey ✓ </div> <div style="text-align: center;">  Dark green ✓ </div> <div style="text-align: center;">  Dark brown ✓ </div> <div style="text-align: center;">  Mid grey ✓ </div> <div style="text-align: center;">  Green ✓ </div> <div style="text-align: center;">  Brown ✓ </div> <div style="text-align: center;">  Dark blue ✓ </div> </div> <p>White, light coloured, red or orange roofs and walls are not permitted:</p> <div style="display: flex; flex-wrap: wrap; justify-content: space-around;"> <div style="text-align: center;">  White ✗ </div> <div style="text-align: center;">  Light blue ✗ </div> <div style="text-align: center;">  Red ✗ </div> <div style="text-align: center;">  Orange ✗ </div> <div style="text-align: center;">  Light grey ✗ </div> <div style="text-align: center;">  Beige ✗ </div> </div> <p><i>More flexibility in the use of colour may be permitted in the retail component of any development within business zoned land, including the limited use of corporate colours. Finishes are to be of a low reflectivity.</i></p> <p><i>Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.</i></p> <p>Variations</p> <p><i>Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.</i></p> <p><i>Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.</i></p>	The proposed rendered ground floor walls and cladded mezzanine and first floor will be painted in Dulux 'Tranquil Retreat'. This gentle grey minimises the visual dominance of the development whilst harmonising with the natural environment. Please consult materials schedule attached.	YES

D10.7 Front Building Line	<p>Outcomes</p> <p><i>Achieve the desired future character of the Locality. (S)</i> <i>Equitable preservation of views and vistas to and/or from public/private places. (S)</i> <i>The amenity of residential development adjoining a main road is maintained. (S)</i> <i>Vegetation is retained and enhanced to visually reduce the built form. (En)</i> <i>Vehicle manoeuvring in a forward direction is facilitated. (S)</i> <i>To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.</i> <i>To encourage attractive street frontages and improve pedestrian amenity.</i> <i>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.</i></p> <p>Controls</p> <p><i>The minimum front building line shall be in accordance with the following table.</i></p> <table><tr><th>Land</th><th>Front Building Line (metres)</th></tr><tr><td><i>Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living adjoining Barrenjoey Road</i></td><td><i>10 or established building line, whichever is the greater</i></td></tr><tr><td><i>All other land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living</i></td><td><i>6.5 or established building line, whichever is the greater.</i></td></tr><tr><td><i>Land zoned B1 Neighbourhood Centre or B2 Local Centre</i></td><td><i>3.5m</i></td></tr><tr><td><i>All other land</i></td><td><i>Merit Assessment</i></td></tr></table> <p><i>Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.</i></p> <p><i>Where new streets or accessways are proposed in residential flat building and multi dwelling housing development, a minimum front setback of 3 metres must be provided between the carriageway and dwellings.</i></p> <p>Variations</p> <p><i>Where the outcomes of this control are achieved, Council may accept a minimum building setback to a secondary street of half the front building line.</i></p> <p><i>Where the outcomes of this control are achieved, Council may accept variation to these building lines in the following circumstances:</i></p> <ul style="list-style-type: none"><i>considering established building lines;</i><i>degree of cut and fill;</i><i>retention of trees and vegetation; where it is difficult to achieve acceptable levels for building;</i><i>for narrow or irregular shaped blocks;</i><i>where the topographic features of the site need to be preserved;</i><i>where the depth of a property is less than 20 metres.</i>	Land	Front Building Line (metres)	<i>Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living adjoining Barrenjoey Road</i>	<i>10 or established building line, whichever is the greater</i>	<i>All other land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living</i>	<i>6.5 or established building line, whichever is the greater.</i>	<i>Land zoned B1 Neighbourhood Centre or B2 Local Centre</i>	<i>3.5m</i>	<i>All other land</i>	<i>Merit Assessment</i>	<p>The primary proposed residential dwelling and deck is situated 10m from the boundary front line.</p> <p>The proposed garage encroaches into the front building setback, located to the south-west corner of the lot. The garage will feature a concrete slab on ground, with lightweight framing and external cladding. Although the form encroaches council's control's regarding built form within the front setback, we believe the location of the proposed garage should be considered and evaluated based on the difficulty of the terrain, and the significant amount of groundwork required to move the garage up the slope of the lot to achieve compliance outside of the 10m setback.</p>	NO, VARIATION TO CONTROL TO BE ASSESSED
Land	Front Building Line (metres)												
<i>Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living adjoining Barrenjoey Road</i>	<i>10 or established building line, whichever is the greater</i>												
<i>All other land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living</i>	<i>6.5 or established building line, whichever is the greater.</i>												
<i>Land zoned B1 Neighbourhood Centre or B2 Local Centre</i>	<i>3.5m</i>												
<i>All other land</i>	<i>Merit Assessment</i>												

D10.8 Side and Rear Building Line	Outcomes <i>To achieve the desired future character of the Locality. (S)</i> <i>The bulk and scale of the built form is minimised. (En, S)</i> <i>Equitable preservation of views and vistas to and/or from public/private places. (S)</i> <i>To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.</i> <i>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)</i> <i>Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)</i> <i>Flexibility in the siting of buildings and access. (En, S)</i> <i>Vegetation is retained and enhanced to visually reduce the built form. (En)</i> <i>To ensure a landscaped buffer between commercial and residential zones is established. (En, S)</i> Controls: <i>The minimum side and rear building line for built structures including pools and carparks, other than driveways, fences and retaining walls, shall be in accordance with the following table:</i>	Side building line = 3.039m (to the North), 1m (to the South). Rear building line = 6.5m The proposal is set well back from its northern and southern side boundaries and as such will not interfere with privacy or views to the adjacent neighbour, 234 Barrenjoey Rd.	YES								
	<table><tr><th>Land</th><th>Side & Rear Building (metres)</th></tr><tr><td>Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living</td><td>2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Dual Occupancy 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)</td></tr><tr><td>Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, E2 Environmental Conservation or W1 Natural Waterway.</td><td>3.0 along that adjoining side or rear boundary</td></tr><tr><td>Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land other than land zoned R2 Low Density Residential, R3 Medium Density</td><td>Nil</td></tr></table>	Land		Side & Rear Building (metres)	Land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Dual Occupancy 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies) Secondary Dwelling 2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)	Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land zoned R2 Low Density Residential, R3 Medium Density Residential, E4 Environmental Living, RE1 Public Recreation, E2 Environmental Conservation or W1 Natural Waterway.	3.0 along that adjoining side or rear boundary	Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land other than land zoned R2 Low Density Residential, R3 Medium Density	Nil	
	Land	Side & Rear Building (metres)									
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Land zoned B1 Neighbourhood Centre or B2 Local Centre adjoining land other than land zoned R2 Low Density Residential, R3 Medium Density	Nil										

	<div>Residential, E4 Environmental Living, RE1 Public Recreation, E2 Environmental Conservation or W1 Natural Waterway.</div>			
	<p>Variations</p> <p>Where alterations and additions to existing buildings are proposed, maintenance of existing setbacks less than as specified may be considered where it is shown that the outcomes of this clause are achieved.</p> <p>Where the depth of a property is less than 20 metres, Council may accept a reduced building setback from the rear boundary.</p>			
D10.11 Building Envelope	<p>Outcomes</p> <p>To achieve the desired future character of the Locality. (S) To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment. To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment. The bulk and scale of the built form is minimised. (En, S) Equitable preservation of views and vistas to and/or from public/private places. (S) To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S) Vegetation is retained and enhanced to visually reduce the built form. (En)</p> <p>Controls</p> <p>Buildings are to be sited within the following envelope:</p> <div><p style="text-align: center;">STREET FRONTAGE</p></div> <p>Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).</p> <p>Variations</p> <p>Where the building footprint has a slope is situated on a slope over 16.7 degrees (i.e.; 30%), variation to this control will be considered on a merits basis.</p> <p>Where subject to Estuarine, Flood & Coastline (Beach) Hazard Controls, the building envelope shall be measured from a height above the minimum floor level requirement under the Estuarine, Flood and Coastline (Beach) Hazard Controls.</p> <p>Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.</p>	The proposed development maintains a low-profile scale and form that works with the existing steeply sloping terrain. The first floor module is set back by over 11m, and roof eaves overhangs to ground floor to ensure that shape and solar control in summer is maintained whilst maximised in winter.	YES	

	<i>Council may consider a variation for the addition of a second storey where the existing dwelling is retained.</i>		
D 10.13 Landscaping (Area 1 of the Landscaped Area Map - Environmentally Sensitive Land)	<p>Outcomes</p> <p><i>Achieve the desired future character of the Locality. (S)</i> <i>The bulk and scale of the built form is minimised. (En, S)</i> <i>A reasonable level of amenity and solar access is provided and maintained. (En, S)</i> <i>Vegetation is retained and enhanced to visually reduce the built form. (En)</i> <i>Conservation of natural vegetation and biodiversity. (En)</i> <i>Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)</i> <i>To preserve and enhance the rural and bushland character of the area. (En, S)</i> <i>Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)</i></p> <p>Controls</p> <p><i>The total landscaped area on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living shall be 60% of the site area.</i></p> <p><i>The use of porous materials and finishes is encouraged where appropriate.</i></p> <p><i>Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.</i></p> <p><u>Split</u> <u>Zones</u> <i>On lots where there is a split zoning and part of the lot is zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure, the calculation for total landscaped area will be based only on that area not zoned RE1 Public Recreation, E2 Environmental Conservation or SP2 Infrastructure. It will not be based on the site area of the whole lot.</i></p> <p>Variations</p> <p><i>Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:</i></p> <p><i>impervious areas less than 1 metre in width (e.g. pathways and the like);</i></p> <p><i>for single dwellings on land zoned R2 Low Density Residential, R3 Medium Density Residential or E4 Environmental Living, 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)).</i></p>	<p>The design of the building has taken into account the natural topography of the site and as such works with the natural terrain. Through terracing, there is minimal contact between the built form and natural ground level. Native vegetation and bushland has been preserved where possible, and provisions have been made to allow native shrub and tree landscaping to grow beneath the proposed structure. A minimum 2m undercroft clearance allows for this strategy to take place. This has resulted in more than 60% of the site area being landscaped. Please see attached landscape plans as part of this submission.</p> <p>Landscaped Area: 554 m² = 68%</p>	YES
D10.14 Fences - General	<p>Outcomes</p> <p><i>To achieve the desired future character of the Locality. (S)</i> <i>An open streetscape that allows casual surveillance of the street. (S)</i> <i>Fences, where provided, are suitably screened from view from a public place. (S)</i> <i>Safe and unhindered travel for native animals. (En)</i> <i>To ensure fences compliment and conserve the visual character of the street and neighbourhood.</i> <i>To define the boundaries and edges between public and private land and between areas of different function.</i> <i>To contribute positively to the public domain.</i> <i>To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and</i></p>	<p>Current lap and cap fencing to be retained to lot perimeter. Gaps and spaces in existing fencing to be replaced to match current fence material and style.</p>	YES

	<p>pedestrians. (S) To ensure heritage significance is protected and enhanced. (S) To ensure an open view to and from the waterway is maintained. (S) To ensure native vegetation is retained (En). To ensure any fencing provides for the safe and unhindered travel of native animals. (En)</p> <p>Controls</p> <p><u>a. Front fences and side fences (within the front building setback)</u></p> <p>Front fences and side fences (within the front building setback) shall:</p> <ul style="list-style-type: none"> • not exceed a maximum height of 1 metre above existing ground level, • be compatible with the streetscape character, and • not obstruct views available from the road. <p>Fences are to be constructed of open, see-through, dark-coloured materials.</p> <p>Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.</p> <p>Original stone fences or stone fence posts shall be conserved.</p> <p><u>b. Rear fences and side fences (to the front building line)</u></p> <p>Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.</p> <p><u>c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean</u></p> <p>Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.</p> <p><u>d. Fencing adjoining Pittwater Waterway</u></p> <p>Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.</p> <p>Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.</p> <p><u>e. Fencing in Category 1 and 2 areas</u></p> <p>No front fences will be permitted.</p> <p>Vegetation is preferred to any fencing</p> <p>Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with minimum dimension of 150mm accessible to ground dwelling animals.</p> <p>Fencing required for the containment of companion animals should be minimised.</p> <p><u>f. Fencing on land on Council's Flood Hazard Maps</u></p> <p>No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.</p>		
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	<p><i>All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.</i></p>		
<p>D10.15 Fences - Flora and Fauna Conservation Area</p>	<p>Outcomes</p> <p><i>To achieve the desired future character of the Locality. An open streetscape that allows casual surveillance of the street. (S)</i> <i>Fences, where provided, are suitably screened from view from a public place. (S)</i> <i>Safe and unhindered travel for native animals. (S)</i> <i>To ensure fences compliment and conserve the visual character of the street and neighbourhood.</i> <i>To define the boundaries and edges between public and private land and between areas of different function.</i> <i>To contribute positively to the public domain.</i> <i>To enhance safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)</i> <i>To ensure heritage significance is protected and enhanced. (S)</i> <i>To ensure an open view to and from the waterway is maintained. (S)</i> <i>To ensure native vegetation is retained (En).</i> <i>To ensure any fencing provides for the safe and unhindered travel of native animals. (En)</i></p> <p>Controls</p> <p><u><i>a. Front fences and side fences (within the front building setback)</i></u></p> <p><i>Front fences and side fences (within the front building setback) shall not exceed a maximum height of 1 metre above existing ground level, and shall be compatible with the streetscape character and not obstruct views available from the road.</i></p> <p><i>Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the roadside.</i></p> <p><i>Original stone fences or fence posts shall be conserved.</i></p> <p><u><i>b. Rear fences and side fences (to the front building line)</i></u></p> <p><i>Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.</i></p> <p><u><i>c. Rear fences to land zoned RE1 Public Recreation or E2 Environmental Conservation abutting the Pacific Ocean</i></u></p> <p><i>Fencing is to be constructed of open, see-through, dark-coloured materials and shall have a maximum height of 1.8 metres.</i></p> <p><u><i>d. Fencing adjoining Pittwater Waterway</i></u></p> <p><i>Fences are to be setback 3 metres from the property boundary adjacent to the waterway, and shall have a maximum height of 1.8 metres.</i></p> <p><i>Fences are to be constructed of open, see-through, dark-coloured materials. Landscaping is to screen the fence on the foreshore side.</i></p> <p><u><i>e. Fencing in Category 1 and 2 areas</i></u></p> <p><i>No front fences will be permitted.</i></p>	<p>Current lap and cap fencing to be retained to lot perimeter. Gaps and spaces in existing fencing to be replaced to match current fence material and style.</p>	<p>YES</p>

	<p>Vegetation is preferred to any fencing.</p> <p>Side and rear fences where necessary are to be constructed of dark coloured materials and shall not obstruct the passage of wildlife and shall have opening(s) with min dimension of 150mm accessible to ground dwelling animals.</p> <p>Fencing required for the containment of companion animals should be minimised.</p> <p><u>f. Fencing on land on Council's Flood Hazard Maps</u></p> <p>No masonry fences will be permitted on land identified in High Flood Hazard Areas or on land within a Floodway.</p> <p>All fences in High Flood Hazard Areas or within a Floodway are to be constructed in 'open' materials, for the full height of the fence, to allow for the passage of floodwaters through the fence.</p> <p>Variations</p> <p>Within the front building setback, fencing to a maximum height of 1.8 metres may be considered where the main private open space is in front of the dwelling, or the site is located on a main or arterial road with high traffic noise. In such instances, front fencing shall:</p> <ul style="list-style-type: none"> i. be setback the height of the fence (i.e. 1.8 metres high fence setback 1.8 metres from the front boundary); and ii. be articulated to provide visual interest and further opportunities for landscaping, and iii. be screened by landscaping within the setback area; and iv. not restrict casual visual surveillance of the street, and v. provide a 45 degree splay (or equivalent) either side of any vehicular entrance, minimum dimensions of 2 metres by 2 metres; and vi. 50% or more of the fence is transparent. <p>See also controls relating to gated access points in Part B: Access Driveways and Off street Parking</p>		
<p>D10.16 Construction, Retaining Walls, Terracing and Undercroft Areas</p>	<p>Outcomes</p> <p>To achieve the desired future character of the Locality. To protect and minimise disturbance to natural landforms. To encourage building design to respond sensitively to natural topography.</p> <p>Controls</p> <p>Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.</p> <p>Retaining walls and terracing shall be kept to a minimum. Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.</p> <p>In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.</p> <p>Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.</p>	<p>The proposed structure features timber framed decking on stilt posts. The terraced design ensures that there's minimal intervention between the building and the site. A min. clearance of 2m open undercroft allows for generous opportunity for native bush and mid height shrubbery below.</p>	

COMPLIANCE TABLE

DCP CONDITION	PROPOSED	COMPLIANT?
FRONT SETBACK: 10M	10M	YES
SIDE SETBACKS: 2.5M TO ONE SIDE, AND 1M TO THE OTHER	NORTH: 3.039M TO BUILDING FAÇADE SOUTH: 1M TO BUILDING FAÇADE	YES YES
REAR SETBACK: 6.5M TO REAR	6.5M	YES
HEIGHT: 8.5M	MAX. HEIGHT: 7.528M	YES
LANDSCAPED AREA: 60% (E4)	68% (554m2)	YES

5.0 CONCLUSION

The proposed design for the Development Application at 1E Bungan Head Rd, Newport achieves a high level of compliance with the LEP and DCP numerical controls. The proposed building is compliant in height, landscaping, and setbacks, and has been demonstrated as having no impacts on the amenity of adjacent neighbouring sites. This has been achieved through considered siting, strategic location of program and external openings, as well as working with the natural ground plane to minimize the overall bulk and scale of the terraced design.

Great consideration has been given to the proposed design, ensuring that the intervention between the building and the site remains minimal. The terracing of the house ensures that as much vegetation and bushland can be retained as possible.

Given the proposed development has been shown to present negligible impacts on the amenity of neighbouring sites and public domain, and has been demonstrated to be respectful to its setting, we see no reason that development consent should not be granted for this application.