



Minto Planning Services

Town Planning Consultants

**STATEMENT OF
ENVIRONMENTAL EFFECTS**

**PROPOSED DWELLING ALTERATIONS &
ADDITIONS AND SWIMMING POOL**

37 FLORENCE TERRACE, SCOTLAND ISLAND

**On Behalf of
Ms McClean**

October 2021

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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Construction of Dwelling Alterations & Additions and Swimming Pool

at

37 FLORENCE TERRACE, SCOTLAND ISLAND

Prepared under instructions from

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1. INTRODUCTION

This Statement of Environmental Effects accompanies a Development Application lodged on behalf of Ms McLean. The proposal seeks approval for the construction of dwelling alterations & additions together with an inground swimming pool upon land identified as Lot 96 in DP 12749 and which is known as 37 Florence Terrace, Scotland Island.

In consideration of this application reference has been made to:

- *Environmental Planning & Assessment Act 1979, as amended.*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater Development Control Plan*

Additional information to support this application includes:

- Survey Plan prepared by SDG Land Development Solutions, Ref. No. 8252, Issue A and dated 10/09/2020.
- Architectural Plans, Landscape Plan & Shadow Diagrams prepared by Paul Meyer Design Pty Ltd, Ref No. 19R016 and dated 02/09/2021.
- Photomontage prepared by Shancarlz Productions, Project No. 001, Drawing No. DA-01 and dated 1/9/21.
- BASIX Certificate #A400680 and dated 30/07/2020.
- Construction Methodology Plan and dated August 2021.
- Estuarine Risk Management Report prepared by Horton Coastal Engineering and dated 21 May 2021.
- Bushfire Assessment Report prepared by Bushfire Consultancy Australia, Report No. 37Flo-01 and dated 19/03/2021.
- Flora and Fauna Assessment prepared by Narla Environmental Pty Ltd and dated 12/09/21.
- Geotechnical Assessment Report prepared by Hodgson Consulting Engineers, Job No. QP00247 and dated 15/07/2021.
- Stormwater Management Plans prepared by NB Consulting Engineers, Job No. 210788, Issue B and dated 14/09/2021.
- Approval to Install an On-Site Sewage Management System, Issued by Northern Beaches Council, Ref. No. WW00922 and dated 9/8/21.
- Waste Management Plan.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

As a result of that assessment, it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

2. THE SITE

The subject site is identified as Lot 96 in DP 12749 and is known as 37 Florence Terrace, Scotland Island. The subject site is generally a trapezoidal shaped allotment located on the eastern side of Florence Terrace with the eastern boundary fronting Pittwater and with the eastern boundary formed by the Mean High Water Mark.

The site has an area of 721.7m² with a street frontage of 12.19m and a maximum site depth of 61.295m.

The site location is depicted in the following street map extract:



Site Location Map

The property is a steeply sloping allotment having a fall from the site's front southwest corner (approx. RL 17.44) to the northeast corner (approx. RL 0.34) and which adjoins Pittwater. The total fall over the length of the site is approximately 17m. Stormwater from the property is understood to currently be disposed of into Pittwater. The proposal seeks to maintain this arrangement via an upgraded stormwater management system and discharge point.

The site currently supports a split-level weatherboard dwelling comprising of 3 levels with a metal roof and which is located on the eastern portion of the site.

An outbuilding is located centrally on site. A timber jetty extends from the southeast corner of the site over Pittwater.

The existing dwelling is not heritage listed and is not considered to have any heritage significance which would prevent the proposed alterations and additions.

Other improvements located upon the property include a series of stone and blockwork retaining walls including a stone seawall which is erected adjacent to the rear (eastern) boundary fronting Pittwater and incorporates a stone and concrete boat ramp.

Vegetation located upon the property comprises of a combination of native and exotic tree/shrub species together with lawn areas. The proposal does not require the removal of any protected vegetation. A Flora & Fauna Assessment Report has been prepared by Narla Environmental and which is submitted with this application. Based upon the findings of that report it is not considered that there will be any significant ecological impacts associated with the proposal.



View of the Subject Property from Pittwater



An aerial view of the subject site

3. THE SURROUNDING LOCALITY

The subject property is located in a low density residential locality comprising of a combination of traditional cottages and recently constructed contemporary two, three and four storey dwellings. As a result of the site being located on an island and having regard to the configuration of the island it is noted that the island supports a combination of waterfront properties, such as the subject site and conventional street front allotments.

Surrounding built form to the east and west is typically sited consistent with the prevailing topography such that the dwellings step down the escarpment towards Pittwater.

The perimeter of the island is characterised by timber jetties and pontoon which extend from the shoreline into Pittwater.

In addition to the built form the area is also characterised by steeply sloping sites with informal landscaped gardens supporting mainly native vegetation including tall native trees.



An aerial view of the subject and adjoining properties

4. THE PROPOSAL

The proposal seeks approval for the construction of alterations and additions to an existing dwelling together with the construction of a new swimming pool and ancillary works.

The proposed additions comprise the following:

Lower Floor

Convert existing subfloor area to provide for a rumpus/games room with bar area, office and bathroom together with a lift to connect with the levels above. The proposal also includes the provision of a basement storage area.

No change is proposed to the existing building setbacks.

Ground Floor

Addition to the western side of the existing ground floor level to provide for a laundry and powder room. Internal alterations to provide for an open floor plan. Construction of a new terrace with adjustable louvre roof along the eastern and northern elevations.

No change is proposed to the existing side boundary setbacks.

First Floor

Construction of an addition to northwest corner to provide walk in robe and ensuite.

No change is proposed to the existing building setbacks. The existing setbacks are proposed to be maintained.

Second Floor

Construction of a new upper level containing two bedrooms, a bathroom, sitting room and entry together with a covered porch area.

This level is provided with setbacks of 2.5m and 1.175m to the sites northern and southern boundaries, respectively.

A new lift will provide access to all levels of the resultant dwelling excluding the new second floor level.

The proposed dwelling alterations and additions are to generally be of lightweight construction and are to include FC weatherboard cladding, aluminium windows and trim and selected sandstone feature elements.

The proposal also provides for the construction of a new swimming pool to the east of the existing dwelling. The swimming pool provides for a setback of at least 2.0m to the rear boundary (MHW) adjoining Pittwater. Setbacks of 4528mm and 2782mm are provided to the sites northern and southern boundaries, respectively.

The proposal provides for the construction of a new sandstone seawall adjacent to the proposed pool and which is located above the MHW as identified on the survey.

Privacy screening is proposed along the southern boundary adjacent to the proposed pool and along the northern boundary adjacent to the dwelling. The privacy screen works include the construction of a planter boxes which will have a finished height consistent with the proposed pool terrace level.

It is considered that the setbacks proposed are responsive to the topography of the site, the location and form of existing development upon the site and the setbacks of surrounding development. It is my opinion that the proposal will not result in any unreasonable impacts upon the adjoining waterway or character of the area.

The proposed dwelling once completed will comprise the following:

Lower Floor:	Rumpus with bar, games room, office, bathroom and subfloor storage.
Ground Floor:	Kitchen, dining, family room, laundry and powder room.
First Floor:	Two bedrooms (one with ensuite and walk in robe)
Second Floor:	Two bedrooms, bathroom, sitting room and entry.

All stormwater from the proposal is to be disposed of to the existing waterway via a rainwater tank and a flush out pit.

The proposal also includes the landscaping of the property as detailed on the accompanying landscape plan.

The development indices for the proposal are as follows:

Site Area:	721.7m²
Proposed Landscaped Area: (As per LEP Definition)	401.9m² or 55.7%

5. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development permissible with the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979 and the Pittwater Local Environmental Plan 2014.

The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Northern Beaches Council.

5.1 State Environmental Planning Policy (Coastal Management) 2018

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and*
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and*
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

The assessment against Division 3 and 4 of the SEPP below demonstrates compliance with the aims of this policy.

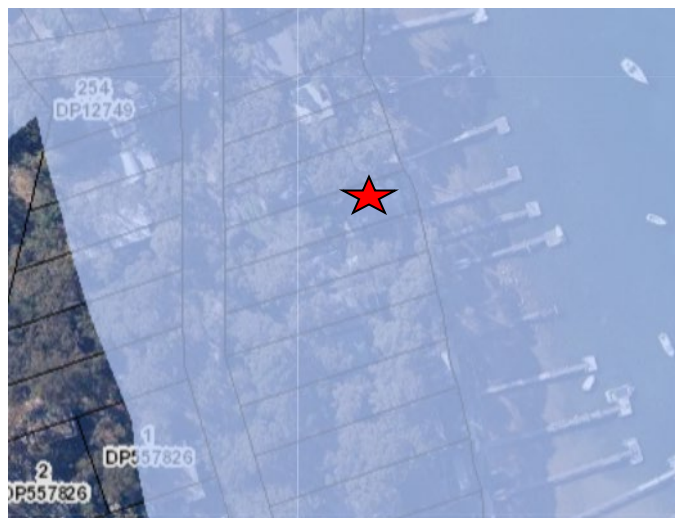


Figure 1: Extract of SEPP (Coastal Management) 2018

- Coastal Environment Area Map
- Coastal Use Area Map

Division 3 - Coastal Environment Area

SEPP Requirement	Response
<p>1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:</p> <ul style="list-style-type: none"> a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment, b) coastal environmental values and natural coastal processes, c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1, d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms, e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, f) Aboriginal cultural heritage, practices and places, g) the use of the surf zone. 	<p><i>It is considered based upon the findings of this report together with the supporting documentation that the proposal will not result in any unreasonable adverse impacts and therefore satisfies the requirements of this section of the SEPP.</i></p>

SEPP Requirement	Response
<p>2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or c) if that impact cannot be minimised—the development will be managed to mitigate that impact. 	<p><i>The proposed development has been designed and sited to avoid any potential adverse impacts referred to in Clause 13(1).</i></p>
<p>3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</p>	<p><i>The SREP (Sydney Harbour Catchment) 2005 does not apply to the subject site.</i></p>

Division 4 - Coastal Use Area

An assessment of the proposal against Clause 14 is provided in the table below.

SEPP Requirement	Response
<p>1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:</p> <ul style="list-style-type: none"> a) has considered whether the proposed development is likely to cause an adverse impact on the following: <ul style="list-style-type: none"> i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, 	<p><i>With regard to Clause (a)(i), the proposed development is located entirely on private property and will not affect public foreshore, beach, headland or rock platform access.</i></p> <p><i>Clauses (a)(ii) and a(iii) are not coastal engineering matters so are not considered herein.</i></p> <p><i>With regard to (a)(iv), as noted in Section 7.2.2, there are no Aboriginal sites or Aboriginal places recorded or declared</i></p>

<ul style="list-style-type: none"> ii) overshadowing, wind funnelling and the loss of views from public places to foreshores, iii) the visual amenity and scenic qualities of the coast, including coastal headlands, iv) Aboriginal cultural heritage, practices and places, v) cultural and built environment heritage, and 	<p><i>within 200m of the subject property.</i></p> <p><i>With regard to (a)(v), the site is not located within proximity of any identified heritage items. The proposed development would not be expected to impact on these heritage items.</i></p>
<p>b) is satisfied that:</p> <ul style="list-style-type: none"> i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and 	<p><i>With regard to (b), the proposed development has been designed and sited to avoid any potential adverse impacts referred to in Clause 14(1) for the matters considered herein.</i></p>
<p>c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</p>	<p>Clause (c) is further address in the DCP assessment below.</p> <p><i>The proposal is considered to be consistent with the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</i></p>
<p>2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</p>	<p><i>The SREP (Sydney Harbour Catchment) 2005 does not apply to the subject site.</i></p>

Division 5 - General

Clause 15

The proposal is accompanied by a Geotechnical Assessment Report which considers the development to be low risk. It is considered that the design will not result in an increased risk of geotechnical hazards to the subject site, surrounding properties or foreshore area.

Clause 17

The proposed swimming pool is permissible with the consent of the Council under the Pittwater Local Environmental Plan 2014.

Clause 18

The subject site is located within more than one coastal management area as shown in Figure 1. An assessment of the development controls that apply to the 'coastal environment area' and 'coastal use area' is provided above. The proposed development is considered to be consistent with both coastal zones.

Summary

It is my opinion based upon this assessment that the proposal satisfies the requirements of State Environmental Planning Policy (Coastal Management) 2018.

5.2 Planning for Bushfire Protection

The subject site is identified as bushfire prone land on Council's Bushfire Prone Land Map. A Bushfire Assessment Report has been prepared by Bushfire Consultancy Australia which in summary provides:

The report concludes that the proposed development is on designated bushfire prone land and the legislative requirements for development of bushfire prone areas are applicable. The proposed development will be constructed to the minimum standard required in accordance with the guidelines of Planning for Bushfire Protection 2019 and AS 3959-2018 Construction of buildings in bushfire prone areas.

This report has considered all of the elements of bushfire attack and provided the proposed development is constructed in accordance with the recommendations of Section 11 of this report, it is my considered opinion that the development satisfies the Objectives and Performance requirements of the Building Code of Australia, Planning for bushfire Protection 2019 and Australian Standard AS3959, 2018.



Extract of Bushfire Map

5.3 Pittwater Local Environmental Plan 2014

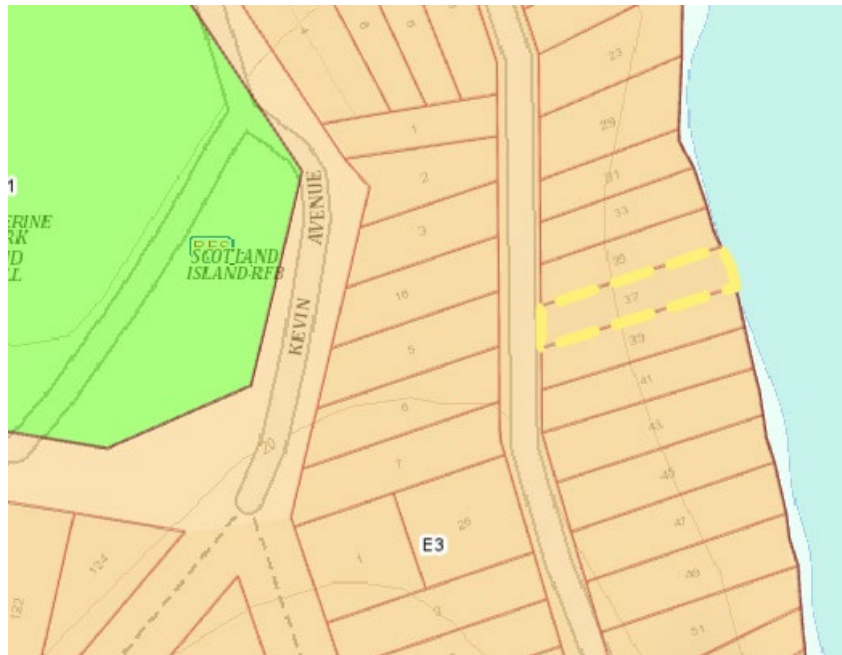
The subject land is zoned E3 - Environmental Management under the provisions of the Pittwater Local Environmental Plan 2014.

The objectives for development within the E3 zone are:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that 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 and not visually prominent.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*
- *To ensure the continued viability of ecological communities and threatened species.*

Under the E3 - Environmental Management zone a range of uses including that of a *dwelling house* are permissible with the consent of the Council.

The proposal which seeks to construct alterations and additions to an existing dwelling house, construct a new swimming pool and ancillary works upon the site is considered to be consistent with the above objectives and is development permissible with the consent of the Council.



Extract from Council Zoning Map

The following provisions of the Pittwater Local Environmental Plan 2014 are considered applicable to the subject site.

Clause 4.3 - Height of Buildings

The subject site is located within Building Height Area “I” and is therefore subject to a maximum building height control of 8.5m.

The proposal provides for a maximum height of 7.57m which complies with this clause.

It is therefore considered that the proposal satisfies the requirements of this clause of the LEP.



Extract of Council Height of Buildings Map

Clause 4.4 - Floor Space Ratio

There is no floor space ratio control applicable to the subject site.

Clause 5.10 - Heritage Conservation

The subject site is not identified as comprising a heritage item nor is it located within a heritage conservation area. It is not considered to have any heritage significance which would prevent the subject application from proceeding.

The proposal is therefore considered to satisfy the requirements of this Clause.



Extract from Council Heritage Map

Clause 7.1 - Acid Sulfate Soils

The subject site is identified as containing Class 5 Acid Sulfate soils.

It is not considered that the proposal includes works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

On this basis the proposal is considered to satisfy the requirements of this Clause of the LEP.



Extract of Council Acid Sulfate Map

Clause 7.6 - Biodiversity protection

The site is mapped as containing land of biodiversity significance.



Extract of Council Biodiversity Map

In this regard the site is identified as containing one vegetation community, namely Pittwater Spotted Gum Forest.

A Flora and Fauna Assessment in relation to the proposal has been undertaken by Narla Environmental and their report within its conclusion states that:

The proposed development, which involves alterations and additions to an existing dwelling, including a pool, landscaping and garden retaining walls, will occur entirely within exotic vegetation. No direct or indirect impacts will occur to the canopy species representative of Pittwater and Wagstaffe Spotted Gum Forest in the Sydney Basin Bioregion, an EEC listed under the BC Act 2016. The proposed development is located within areas mapped as 'Biodiversity' on the Pittwater LEP 2014 Biodiversity Map. Additionally, the Subject Site contains vegetation representative of Pittwater Spotted Gum EEC. These legislative controls have been satisfied in this assessment.

A site assessment revealed that the vegetation within the Subject Site was highly degraded, comprising exotic lawn species and planted garden species. Vegetation representative of Pittwater and Wagstaffe Spotted Gum Forest in the Sydney Basin Bioregion comprised only of overhanging canopy trees rooted outside of the Subject Site, which will be retained and protected during the proposed development. The mitigation measures outlined in this assessment will ensure no direct or indirect impact ecologically sensitive features within and surrounding the Subject Site.

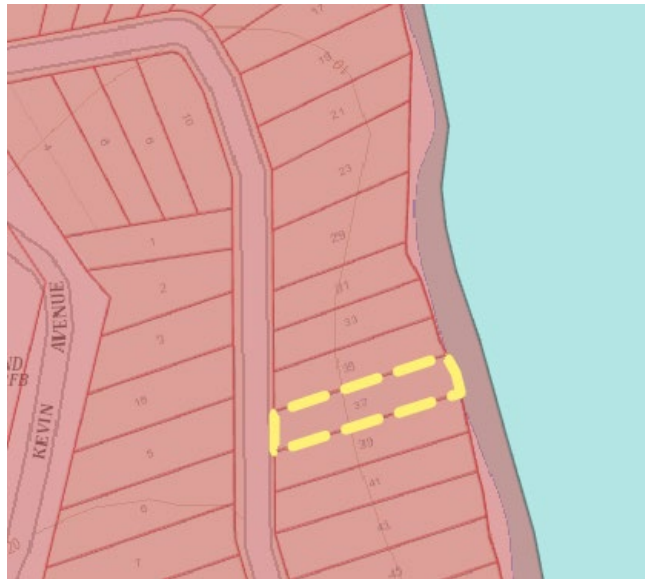
On the basis of the above it is my opinion that subject to compliance with their recommendations that the proposal will not result in any unreasonable terrestrial biodiversity impacts and therefore satisfies the requirements of Clause 7.6 of the LEP.

Clause 7.7 - Geotechnical Hazards

The subject site is identified as being subject to Category W - Geotechnical Hazard H1.

A Geotechnical Investigation Report has been prepared by Hodgson Consulting Engineers and forms part of the information accompanying this application.

It is considered that subject to compliance with the recommendations of the Geotechnical Report that the proposal will not result in any unreasonable geotechnical impacts and satisfies the requirements of Clause 7.7 of the LEP.



Extract of Council Geotechnical Hazard Map

Clause 7.8 - Limited development on foreshore area

The subject site contains a foreshore building line as depicted in the map extract below.

The location of the foreshore building line is such that the majority of the existing lower ground floor level and ground floor level of the existing dwelling are located forward of the FBL.

Consistent with the requirements of Clause 7.8(2)(a) of the LEP, it is noted that the proposed dwelling alterations and additions do not extend further into the foreshore area noting that the proposed vergola structure is sited consistent with the existing covered balcony.

Structures proposed to be located within the FBL area include the proposed swimming pool and new seawall and which are permitted pursuant to Clause 7.8(2)(b) of the LEP.

It is considered that the construction of these structures will satisfy the requirements of Clause 78(3) & (4) of the LEP.

The proposal is therefore considered to be compliant with this Clause of the LEP.



Extract of Council Foreshore Building Line Map

Summary

There are no other provisions of the LEP which it is considered are relevant to the proposal.

It is my opinion based upon this assessment that the proposal is compliant with the aims, objectives and the applicable prescriptive requirements of the Pittwater LEP and is therefore permissible upon the subject site with the consent of the Council.

5.2 Pittwater 21 Development Control Plan 2014

Council's Development Control Plan applies to all forms of development with Sections B, C and D being specifically applicable to residential development.

An assessment of the proposal against the applicable provisions of the DCP has been undertaken and the following comments are made.

Section	Control	Response	Compliance
B3.1 - Landslip Hazard	<p>All development on land to which this control applies must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5).</p> <p>Development must be designed and constructed to ensure that every reasonable and practical means available is used to remove risk to an acceptable level as defined by the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) for the life of the development.</p> <p>The development must not adversely affect or be adversely affected by geotechnical processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical hazards.</p>	Refer to the Geotechnical Report prepared by Crozier Geotechnical Consultants.	✓
B3.7 - Estuarine Hazard - Low Density Residential	Development is to be protected from the effects of wave action or tidal inundation either by mitigation works to protect the development or ensuring that the floor levels of the development are at or above the Estuarine Planning Level.	Refer to the Estuarine Risk Management prepared by Horton Coastal Engineering.	✓
B4.7 - Pittwater Spotted Gum Forest - Endangered Ecological Community	<p>Development shall not have an adverse impact on Pittwater Spotted Gum Endangered Ecological Community.</p> <p>Development shall restore and/or regenerate Pittwater Spotted Gum Endangered Ecological Community and provide links between remnants.</p>	The proposal does not require the removal of any protected vegetation. Refer to the Biodiversity Assessment has been prepared by Narla Environmental Pty Ltd.	✓

Section	Control	Response	Compliance
	<p>Development shall be in accordance with any Pittwater Spotted Gum Forest Recovery Plan.</p> <p>Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.</p> <p>Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations.</p> <p>Caretakers of domestic animals shall prevent them from entering wildlife habitat.</p> <p>Fencing shall allow the safe passage of native wildlife.</p> <p>Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community).</p> <p>Development shall ensure any landscaping works are outside areas of existing Pittwater Spotted Gum Endangered Ecological Community and do not include Environmental Weeds.</p>		
B5.13 - Development on Water front Land	<p>Any waterfront land (as defined in the Water Management Act 2000) on a the property shall be retained in their natural state to: carry stormwater/flood flows, maintain aquifers, retain stability, and provide habitat functions.</p> <p>Natural or artificially modified water courses cannot be diverted onto adjoining lands, filled, channelised and/or dammed.</p> <p>Waterfront land in a degraded state, should be restored and rehabilitated.</p>	<p>All stormwater from the proposal is to be disposed of to the existing waterway via a rainwater tank and a flush out pit. Refer to Stormwater Management Plan.</p>	✓

Section	Control	Response	Compliance
	<p>Development within waterfront land shall incorporate appropriately sized riparian corridor zones into the design based on Controlled Activities on Waterfront Land: Guideline for outlet structures on waterfront land (NSW Office of Water, July 2012).</p> <p>Development adjoining waterfront land is to be landscaped with local native plants.</p> <p>Council encourages the replacement of a piped stormwater system where appropriate with a restored watercourse with appropriate flow carrying capacity, wherever feasible.</p> <p>The piping or artificial channelling of natural watercourses and drainage channels is not permitted.</p> <p>A Water Management Plan with supporting documentation is to be submitted demonstrating the feasibility of the proposed watercourse works within the site.</p>		✓
B5.15 Stormwater	<p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</p>	All stormwater from the proposal is to be disposed of to the existing waterway via a rainwater tank and a flush out pit. Refer to Stormwater Management Plan.	✓
B6.11 - Access, Driveways & Off Street Parking Requirements - Scotland Island	<p>General</p> <p>The use of vehicles on Scotland Island is discouraged due to the environmental damage to the public roads.</p>	The site does not currently provide for parking and this application does not propose any parking.	✓
C1.1 - Landscaping	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 proposal seeks to plant a variety of native and exotic species.	✓

Section	Control	Response	Compliance
	<p>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>The following soil depths are required in order to be counted as landscaping:</p> <p>300mm for lawn 600mm for shrubs 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>A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments,</p>	<p>Sufficient canopy trees existing on site.</p>	<p>✓</p>

Section	Control	Response	Compliance
	<p>60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and 50% for all other forms of residential development.</p> <p>Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.</p> <p>In bushfire prone areas, species shall be appropriate to the bushfire hazard.</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>Noxious and undesirable plants must be removed from the site (www.pittwater.nsw.gov.au/environment/noxious_weeds/a-z_list_of_weeds)</p>	<p>Screen planting is proposed to side boundaries.</p> <p>Refer to the Ecological Report. The proposal is considered to comply.</p>	<p>✓</p> <p>✓</p>
C1.2 - Safety & Security	<p>1. Surveillance</p> <ul style="list-style-type: none"> Building design should allow visitors who approach the front door to be seen without the need to open the door. Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal 	<p>The proposal continues to provide good visual surveillance of the dwelling and site approach from Pittwater. The new entry porch will also enable views of those approaching the dwelling from Florence Terrace.</p>	<p>✓</p>

Section	Control	Response	Compliance
	<p>areas to maximise casual surveillance.</p> <ul style="list-style-type: none"> • Development design and design of the public domain (including landscaping) is to minimise opportunities for concealment and avoid blind corners. • Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS 4282-1997: Control of the obtrusive effects of outdoor lighting. • Lighting is to be designed to minimise electricity consumption, and to minimise annoyance to neighbours. • Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces. • • Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas. <p>2. Access Control</p> <ul style="list-style-type: none"> • Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry. • Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit. • Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night. • The street number of the property is to be clearly 	<p>The building entrance will be clearly visible from the street and waterway.</p>	<p>✓</p>

Section	Control	Response	Compliance
	<p>identifiable.</p> <ul style="list-style-type: none"> Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions. <p>3. Territorial reinforcement</p> <ul style="list-style-type: none"> Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas. Where a retail/commercial use and residential dwellings are provided in the same development, separate entries for the different uses are to be provided. Blank walls along all public places (streets, open space etc) shall be minimised. <p>4. Space management</p> <ul style="list-style-type: none"> Popular public space is often attractive, well maintained and a well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for. Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements. A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and approximate mix of Crime Prevention through Environmental Design (CPTED) strategies. 	<p>The proposed landscaping outcome will delineate site boundaries and direct visitors to the correct entrance and away from private areas.</p> <p>N/A for dwelling houses.</p>	<p>✓</p> <p>✓</p>

Section	Control	Response	Compliance
C1.3 - View Sharing	<ul style="list-style-type: none"> All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties. The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing. Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials. Views are not to be obtained at the expense of native vegetation. 	<p>The primary view from the subject and adjoining properties is towards Pittwater.</p> <p>It is my opinion that the proposal will not unreasonably impact upon any views with the adjoining properties located to either side of the property maintaining their views.</p> <p>It is considered that views from Florence Terrace over the site will also be maintained.</p>	✓
C1.4 - Solar Access	<p>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.</p> <p>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).</p> <p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</p> <p>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings. The proposal must demonstrate that appropriate solar access is achieved through the application of the Land and Environment Court planning principle for solar access.</p>	<p>The proposal will not result in any unreasonable overshadowing of any adjoining dwelling or usable private open space.</p>	✓

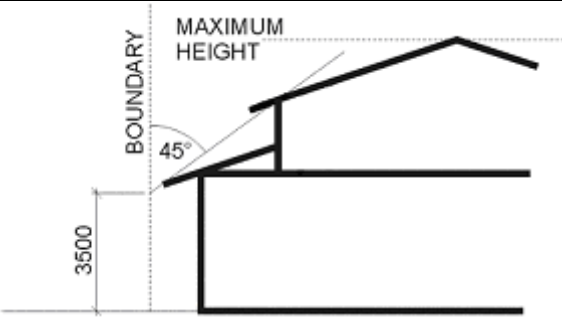
Section	Control	Response	Compliance
C1.5 - Visual Privacy	<p>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).</p> <p>Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.</p> <p>Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.</p> <p>Direct views of private open space or any habitable room window within 9m can be restricted (see diagram below) by:</p> <ul style="list-style-type: none"> • vegetation/landscaping • a window sill height 1.7 metres above floor level, or • offset windows • fixed translucent glazing in any part below 1.7 metres above floor level, or • solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are: <ul style="list-style-type: none"> • permanent and fixed; • made of durable materials; and • designed and painted or coloured to blend in with the dwelling. 	<p>The proposal has been designed so as to ensure that the proposal does not result in any unreasonable loss of privacy for the adjoining property.</p> <p>This has been achieved by providing a primary orientation of windows and living spaces to the north east, towards Pittwater together with the incorporation of privacy screens on the northern and southern boundaries. All high use living areas are retained on the lower levels with the upper levels providing for only bedrooms and bathrooms.</p>	✓
C1.6 - Acoustic Privacy	<p>Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.</p>	<p>There are no unreasonable noise sources that will affect the proposal.</p>	✓

Section	Control	Response	Compliance
	<p>Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the Building Code of Australia).</p> <p>Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.</p> <p>Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.</p>	<p>The pool plant equipment will be located away from all property boundaries and will be housed in a soundproof enclosure.</p>	✓
C1.7 - Private Open Space	<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>The proposal has a private open space area in excess of 80m².</p> <p>The private open space areas are accessible from the living areas.</p> <p>The principal private open spaces orientated to the north east will receive good solar access.</p>	<p>✓</p> <p>✓</p> <p>✓</p>

Section	Control	Response	Compliance
	<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>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.</p>	<p>The proposal includes fixed privacy screens to ensure that these spaces remain private.</p> <p>Complies.</p>	<p>✓</p> <p>✓</p>
C.12 - Waste and Recycling Facilities	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan	Refer to the accompanying Waste Management Plan.	✓
C1.17 - Swimming Pool Safety	Swimming pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the Swimming Pools Act 1992 and regulations. The fencing and warning notices (resuscitation chart) shall be permanent structures.	The proposed plunge pool is to be provided with a retractable child proof cover.	✓
D8.1 - Character as Viewed from a Public Place	Buildings which front the street, and are not obscured by vegetation or topographical features, must have a street presence appropriate to predominantly pedestrian traffic. Buildings should incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be	The additions are well setback from the street frontage, with the dwelling orientated towards Pittwater. Notwithstanding, the proposal provides for an entry and windows serving habitable rooms on the western elevation which is orientated towards Florence Terrace.	✓

Section	Control	Response	Compliance
	permitted.		
	Walls without articulation shall not have a length greater than 8 metres to any street frontage.	The proposal is well articulated and provided with a substantial setback from the street frontage.	✓
	Any building facade to a public place must incorporate at least two of the following design features:	The proposal provides for balconies and articulation along the eastern and western elevations.	✓
	<ol style="list-style-type: none"> 1. entry feature or portico; 2. awnings or other features over windows; 3. verandahs or balconies to any first floor element; 4. recessing or projecting architectural elements; 5. open, deep verandahs; or 6. verandahs, pergolas or similar features above ancillary structures. 		
	The bulk and scale of buildings must be minimised.	The development is well articulated and has been designed to step down the site to minimise bulk and scale.	
	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.	The proposal retains the existing vegetation to the west of the dwelling and provides for additional screen planting around the dwelling.	Variation Required
	Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.		
	On Scotland Island, garages, carports and other parking structures including hardstand areas must not be the dominant site features when viewed from a public place.	The proposal does not provide for any parking.	✓
	General service facilities must be located underground.		

Section	Control	Response	Compliance
	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.		
D12.2 - Scenic Protection - General	Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	The native vegetation located in front and to the rear of the dwelling footprint will remain visible when viewed from the public domain.	✓
D8.3 - Building Colours and Materials	<p>External colours and materials shall be dark and earthy tones.</p> <p>White, light coloured, red or orange roofs and walls are not permitted.</p> <p>Finishes are to be of a low reflectivity.</p> <p>Applications in commercial areas shall use the three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.</p>	The proposed additions are to be constructed of lightweight construction and which is to comprise of FC weatherboards and a colourbond roof with aluminium windows.	✓
D8.5 - Front Building Line	<p>6.5m or established building line, whichever is the greater</p> <p>Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.</p>	The proposal provides for a setback of 25.916m to the street frontage.	✓
D8.6 - Side and Rear Building Line	<p>2.5m to at least one side</p> <p>1.0m for other side</p> <p>Rear setback to comply with the foreshore building line.</p>	<p>The proposal provides the following side boundary setbacks.</p> <ul style="list-style-type: none"> Northern Side Setback: Lower ground, ground and first floor levels maintain existing setbacks. The proposed second floor addition is provided with a 2.5m setback. Southern Side Setback: Lower ground, ground and first floor levels maintain existing setbacks. The proposed second floor addition is provided with a 1175mm setback. <p>Refer to discussion in relation to Clause 7.8 of the LEP.</p>	<p>✓</p> <p>✓</p>

Section	Control	Response	Compliance
D8.8 - Building Envelopes		The proposed second floor addition is considered to satisfy council's envelope requirement.	✓
D8.9 - Landscaped Area	<p>For site area between 700-749m² a landscaped area of 29% of the site is required.</p> <p>The use of porous materials and finishes is encouraged where appropriate.</p> <p>Any alterations or additions to an existing dwelling must comply with the above table.</p>	The proposal provides for 55.7% of the site to be landscaped area as per the definition in the PLEP.	✓
D8.13 - Stormwater Overflow	<p>Rainwater shall as much as possible be channelled into rainwater tanks.</p> <p>The overflow from a stormwater system shall be designed, constructed and maintained so as to disperse the flow of water across the landscape through the bushland.</p> <p>Domestic water collection systems should be set up so that preferably all rainwater falling on a roof is collected and channelled into water tanks.</p> <p>Landscaping or land formation should encourage the dispersal of storm water across the landscape and through bushland and should discourage the channelling of water into gullies flowing onto roadways, reserves, other properties, or into the Pittwater.</p>	All stormwater from the proposal is to be disposed of to the existing waterway via a rainwater tank and a flush out pit. Refer to Stormwater Management Plan.	✓

Section	Control	Response	Compliance
	Stormwater shall be controlled such that the waters do not infiltrate any land application system associated with on-site wastewater treatment system is not located over major stormwater overland flowpaths or channels.		
D8.16 - Scenic Protection Category One Areas	<p>Screen planting shall be located between structures and boundaries facing waterways.</p> <p>Canopy trees are required between dwellings and boundaries facing waterways and waterfront reserves.</p> <p>Development is to minimise the impact on existing significant vegetation.</p> <p>The applicant shall demonstrate the retention and regeneration of existing native vegetation outside of the immediate area required to carry out the development.</p> <p>The development is to incorporate measures for planting and maintenance of native vegetation within those areas which are already cleared, and which are not required to be cleared to allow for the development.</p> <p>The siting, building form, orientation and scale of the development shall not compromise the visual integrity of the site by removal of canopy trees along ridges and upper slopes.</p> <p>The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment.</p> <p>Applicants are to demonstrate that proposed colours and materials will be dark and earthy</p>	The proposal is considered to provide for a landscape response which is consistent with the requirements of the Council.	✓

Summary

There are no other provisions of the DCP which it is considered are relevant to the proposal.

On the basis of the above the proposal is considered to achieve appropriate compliance with the requirements of Council's DCP and where a variation is proposed it is considered to be consistent with the aims and objectives of the relevant provision.

The proposal is therefore considered to be worthy of the support of the Council.

6. SECTION 4.15(1) ASSESSMENT

Environmental Planning Instruments - Section 4.15(1)(a)

The subject site is zoned E3 - Environmental Management under the provisions of the Pittwater Local Environmental Plan 2014. The proposed dwelling alterations & additions, swimming pool and ancillary structures is permissible with the consent of Council. The proposal has been assessed against the objectives and provisions of both the Pittwater LEP 2015 and the Pittwater Development Control Plan as detailed within this report.

The proposal was found to generally satisfy the requirements of both policy documents. Where a variation is proposed it is considered to be consistent with the aims and objectives of the relevant provision.

Impacts of the Development - Section 4.15(1)(b)

It is not considered that the proposal will result in any unreasonable detrimental impacts upon the amenity of the adjoining properties or upon the character of the surrounding area.

The proposed dwelling is considered to be of a design, which is in keeping with the character of the surrounding area and the desired future characteristics identified for this locality.

Suitability of the Site - Section 4.15(1)(c)

The subject site is zoned E3 - Environmental Management under the Pittwater Local Environmental Plan 2014. The construction dwelling alterations/additions, a swimming pool and associated works having a height of less than 8.5 metres is permissible with the consent of Council.

The subject site currently supports a dwelling house and in the absence of any unreasonable detrimental impact is thus considered suitable for the proposed development.

7. CONCLUSION

The proposed development is development permissible with the consent of the Council under the terms of the Environmental Planning and Assessment Act 1979 and the Pittwater Local Environmental Plan 2014 and has been assessed against the requirements of Section 4.15(1) of the Act and the Pittwater LEP & DCP. In this regard it is considered that this Statement of Environmental Effects has demonstrated that the proposal satisfies the aims and objectives and the applicable prescriptive requirements of the above controls.

It is considered that the proposal will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

It is therefore considered that the proposed construction of dwelling alterations & additions, swimming pool and ancillary works upon land at 37 Florence Terrace, Scotland Island is worthy of the support of Council.

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October 2021