

Statement of Environmental Effects

For alterations and additions to the existing dwelling house and front carport, at 106 Prince Alfred Parade, Newport.



**Prepared for Teresa Easter
and Bruce Stafford Architecture.**

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1. Introduction

This statement of environmental effects has been prepared as part of a development application for alterations and additions to the existing dwelling house and carport, at 106 Prince Alfred Parade, Newport.

The purpose of this statement is to describe the proposal and review the relevant planning requirements relating to the proposal. It provides an assessment of the proposed development in terms of the Evaluation Criteria prescribed under Section 4.15 of the Environmental Planning and Assessment Act, 1979.

In the preparation of this Statement of Environmental Effects, the site and locality has been inspected and consideration has been given to the Architectural Drawings prepared by Stafford Architecture, Drawings No.DA000 to DA006, DA101, DA110, DA120, DA121, DA122, DA200, DA201, DA202, DA203, DA204, DA301, DA302, DA303, DA304, DA321 and DA322, Issue 2, dated 11 June 2021, and the Survey Plan by Chadwick Cheng Consulting Surveyors Pty Ltd, Reference No.40157/D-MGA, dated 22 February 2021.

The merits of the proposal in terms of the design and the particular context of the site have been considered in terms of the relevant State, Regional and Northern Beaches Council planning instruments, codes and policies.



Figure 1: Locality Map.

2. The Locality and the Site

The locality is characterised by mostly two storey dwelling houses of varying styles and sizes. They are positioned above the road on the high side and below the road along the foreshore side of Prince Alfred Parade.

The site is located on the northern, foreshore side of Prince Alfred Parade with water frontage to Old Mangrove Bay of Pittwater.

It is rectangular in shape with a slightly oblique angled frontage 13.54m to the street. The eastern boundary has a length of 42.67m and the western side boundary has a length of 44.5m. The rear waterfront boundary has a slightly irregular alignment at the mean high water mark (MHWM). It has an area of 581.7m².

The legal property description of the land is Lot 25, Deposited Plan No. 13457, No.106 Prince Alfred Parade, Newport.

The site falls steeply down from the street to the front of the carport and the house and then slopes gradually down to the rear of the house and then more steeply down to the foreshore.

It is developed with a two storey painted rendered dwelling house, with a pitched tile roof. There is a steep driveway at the front, partly within the road reserve, sloping down to an open carport on an elevated parking platform at the front of the house.

There is an indoor pool at the rear of the house on the lower ground level and stairs and landing for access down through the steep part of the site to the waterside facilities at the foreshore that include a boatshed and a long jetty and floating pontoon.



Photograph 1: The site and the existing steep driveway, partly within the road reserve and front carport and the house behind, viewed from the street.



Photograph 2: The adjoining two storey house and front carport to the west at 104 Prince Alfred Parade, currently undergoing substantial alterations and additions.



Photograph 3: The houses on the opposite side of Prince Alfred Parade, viewed from the driveway in front of the house.



Photograph 4: The side of the existing house and adjoining house under renovation at 104 Prince Alfred Parade on the left.



Photograph 5: The existing steps on the side of the driveway for access down to the house. The two existing spotted gum trees adjoin the front boundary of the site.



Photograph 6: The existing indoor pool on Level 1, the lower ground level of the house.



Photograph 7: The house and adjoining waterfront houses viewed from the end of the jetty.

3. The Proposal

The proposal is for alterations and additions to the existing house and a new carport at the front and reconfigured front access path and stairs down to the entry to the house. The existing pitched roof is to be demolished and replaced with a new low pitched metal roof. The existing indoor swimming pool is to have the enclosing walls and roof removed and is to be reduced in size and landscaping is proposed on the low side in front of the pool wall. There are no changes proposed to the existing water side facilities. New bi fold doors are proposed to the eastern side of the boatshed and new paving and landscaping is also proposed.

Driveway and Carport and Access.

A new driveway is proposed at the street side and a new metal roofed double carport is to be constructed at the front of the house and detached from the house, to allow for landscaping between the new carport and the front wall of the house.

A new path and elevated stairs and landing is proposed at the front, commencing on the side of the driveway within the road reserve and curving around the two gum trees at the front to an entry gate on the front boundary. From here the curved walkway leads to a permeable entry walkway and stair leading to the new front door of the house.

Level 1 Rumpus Room and Pool.

This is the lower level of the house. Internal walls are to be removed to open up the space for a rumpus room, pool room and a gym and guest bedroom and a bathroom, with steam room/sauna. There is also a built in kitchenette off the rumpus room and a curved wall and bar that also incorporates a wine cellar. This level opens to the existing indoor swimming pool that is presently enclosed with walls and a metal roof. The existing walls and roof over the pool are to be removed and the existing swimming pool is to be reconfigured by reducing the size/length of the pool and adding new steps and a spa at the eastern end.

Level 2 Living Level.

This is the mid level, main living level of the house. At the bottom of the new curved stair is a powder room and the lift. There is a short hallway leading to the open plan dining room, kitchen with island bench and the living area. The existing internal stair in the north west corner of the room is to be removed and there is a wide opening in the northern wall and series of sliding doors opening to the existing balcony that is to be extended by 2.0m to the north. Blade walls for privacy screening are proposed along the sides of the balcony for half the depth of the balcony closest to the room.

There is a fireplace on the western wall of the living room and an enclosed study between the living room and the internal stair. On the eastern side of this level there is a scullery off the kitchen and the internal laundry.

Level 3 Bedrooms and Entry Foyer Level.

Internal alterations are proposed for the new entry and foyer at the front and the new curved internal stair to the levels below. There is a lift off the entry foyer and a hall leading to two bedrooms on the eastern side, each with an ensuite bathroom and the main bedroom suite on the western side comprises a walk in robe and ensuite bathroom. New sliding doors and external blinds are proposed to the main bedroom and Bedroom 1 for access to the existing north facing balcony.

The existing side walls are to be retained and new windows are proposed to the bedrooms and ensuite bathrooms. Side and rear setbacks are unchanged.

Landscaping

The two existing gum trees at the front of the site are to be retained and protected and new landscaping is proposed at the front of the site in this area as per the Landscape Design by Spirit Level, submitted with the development application. The four gum trees below the house and the swimming pool are also to be retained and protected and new landscaping and garden walls and paving is also proposed in this part of the site. The void area under the pool is to be enclosed with a metal blade cladding for use for the pool equipment and storage

4. Development Controls and Policies

The Pittwater Local Environmental Plan 2014, which commenced on 30 May 2014 and was last amended on 23 June 2021. It is the main planning instrument for the Pittwater area of the Northern Beaches Council area.

It provides for the zoning of the land and establishes the permissibility of the use of the land within the E4 Environmental Living Zone for a dwelling house, and dual occupancies, amongst a range of other uses with development consent.

The Pittwater 21 Development Control Plan (P21DCP) came into force on 21 August 2006. It is a comprehensive Development Control Plan that applies to all land and all types of development in the Pittwater area of the Northern Beaches Council area.

The P21DCP consolidates all of Council's existing development controls into a single document, and replaces all of Council's previous Development Control Plans.

The P21DCP includes the detailed guidelines and environmental standards for new development, which need to be considered in preparing a Development Application.

It provides a layered approach with some parts being relevant to all development, provisions for specific types of development, and some specific land.

The following State Environmental Planning Policies and Sydney Regional Environmental Plans are applicable to the site and the proposal:

- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- State Environmental Planning Policy (Coastal Management) 2018.

5. Evaluation Pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979

5.1 Environmental Planning Instruments

State Environmental Planning Policies and Sydney Regional Environmental Plans

State Environmental Planning Policy No. 55 – Remediation of Contaminated Land 1998 (SEPP 55)

This Policy applies to the whole of the State of New South Wales.

Clause 7 of the SEPP requires the contamination and remediation of land to be considered in determining development applications.

The site has in the past been used exclusively for residential purposes. There is no property history to suggest that any contaminating uses occurred on the site or in the vicinity. Council can therefore be satisfied that the land is not contaminated and remediation of the land is not required. The land is therefore suitable for its continued use for residential purposes.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

BASIX, the Building Sustainability Index, ensures residential developments are designed to use less potable water and are responsible for fewer greenhouse gas emissions by setting energy and water reduction targets for houses and units.

A BASIX assessment has been carried out and a BASIX certificate has been obtained confirming that the targets for thermal comfort and energy efficiency and water conservation have been met.

A BASIX Certificate is submitted with the development application.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and*
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.*

Council may authorise vegetation clearing provided that:

- *the clearing does not exceed the biodiversity offsets scheme threshold pursuant to the Biodiversity Conservation Act 2016;*

- *the vegetation is not part of a heritage item or a heritage conservation area, or*
- *the vegetation neither is or forms part of an Aboriginal object or that is an Aboriginal place of heritage significance.*

The subject application will not result in the clearing of any native vegetation or clearing that exceeds the biodiversity offsets scheme, and does not involve clearing that is or forms part of a heritage item or a heritage conservation area, or is or forms part of an Aboriginal object or that is a known Aboriginal place of heritage significance.

State Environmental Planning Policy (Coastal Management) 2018

The subject site is identified as being within the Coastal Environment Area and Coastal Use Area.

The matters for consideration in Clause 13 and Clause 14 are relevant and the Council can be satisfied that the proposal will not involve any inconsistency with the matters for consideration of Clause 13 and Clause 14 of the SEPP.

Local Environmental Plans

Pittwater Local Environmental Plan 2014

Permissibility

The zoning of the land is established by the Pittwater Local Environmental Plan 2012 (the LEP). The land is located within the E4 Environmental Living Zone of the LEP. Dwelling houses and dual occupancies are a permissible use in the zone with development consent in accordance with the Land Use Table of the LEP.

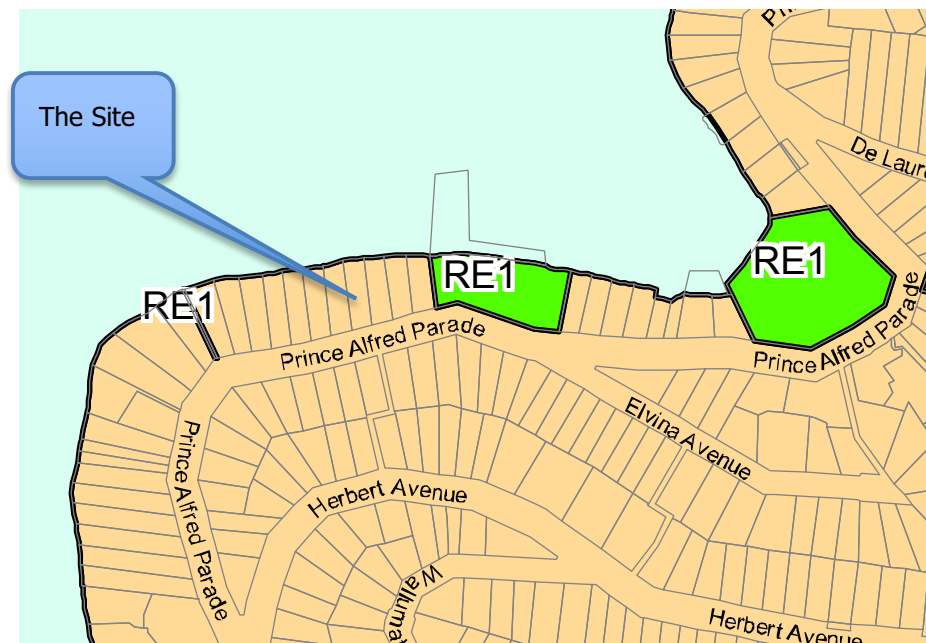


Figure 2: Extract from the Pittwater LEP Land Zoning Map

The following provisions of the LEP are relevant to the proposal:

Aims of the plan are listed in Clause 1.2.

The proposed alterations and additions to the existing house will be of an appropriate height and scale in the context of the surrounding two storey residential development.

There will be no adverse environmental impacts and the amenity of the adjoining properties will be maintained.

It will maintain compatibility with the general two storey scale and character of the dwelling houses in the locality.

E4 Environmental Living Zone

The objectives of zone are:

- *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.*

The proposal will be consistent with the objectives of the zone particularly in relation to maintaining the scale and character of the locality that comprises a diverse mix of dwelling houses in terms of their height, size and design.

It will also maintain the amenity of adjoining properties in terms of views, privacy and sunlight access.

The proposal will not affect the scenic quality of the area, the landscape quality of the site and the foreshore and will therefore be consistent with the above zone objectives.

Clause 4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
- (b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (c) to minimise any overshadowing of neighbouring properties,*
- (d) to allow for the reasonable sharing of views,*
- (e) to encourage buildings that are designed to respond sensitively to the natural topography,*
- (f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

The land is located in an area subject to a maximum 8.5m height limit.

The height of the building will actually be reduced by the removal of the existing pitched tile roof and replacement with a new low profile low pitched metal clad roof.

Notwithstanding the reduction in overall building height, the height of the northern end of the new roof has been calculated to be 9.4m at RL20.11 above the existing ground level being the lower ground floor at RL10.71 and therefore exceeds the 8.5m height of buildings standard.

A written exception request to the height of buildings standard in accordance with Clause 4.6 of the LEP is submitted with the development application. The exception to the height standard is considered to be well founded and Council as the consent authority can be satisfied for the reasons outlined, that the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives of the zone.

Clause 4.4 Floor space ratio

The site is not identified as being subject to a floor space ratio standard.

Clause 4.6 Exceptions to development standards

An exception to a development standard is required because the proposal will exceed the 8.5m height of buildings standard of Clause 4.3(2) of the LEP. Refer to Appendix 1 of this statement.

Clause 5.9 Preservation of trees or vegetation

(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and vegetation.

The proposal will not result in the loss of any substantial vegetation or trees on the site, in particular the large gum trees at the front of the site near the front boundary and the four gum trees at the rear of the site below the house and the indoor pool, and therefore complies with the objective of this clause.

Clause 7.1 Acid sulfate soils

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The site is located in a Class 5 acid sulfate soil area. The proposal does not involve works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the water table is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

The proposal is therefore not likely to involve the disturbance or potential exposure of Acid Sulfate Soils.

Clause 7.5 Coastal risk planning

(1) *The objectives of this clause are as follows:*

- (a) to avoid significant adverse impacts from coastal hazards,*
- (b) to ensure uses of land identified as coastal risk are compatible with the risks presented by coastal hazards,*
- (c) to enable the evacuation of land identified as coastal risk in an emergency,*
- (d) to avoid development that increases the severity of coastal hazards.*

The site is not in the Coastal Hazard area.

Clause 7.6 Biodiversity

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

- (a) protecting native fauna and flora, and*
- (b) protecting the ecological processes necessary for their continued existence, and*
- (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

The proposal will be consistent with the objectives and will not affect existing flora and fauna or ecological processes along the foreshore.

Clause 7.7 Geotechnical hazards

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

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

A Geotechnical Investigation Report prepared by Crozier dated 26 May 2021 is submitted with the development application addressing the excavation proposed that varies in depth to a maximum of 3.0m.

Clause 7.8 Limited development on foreshore area

(1) *The objectives of this clause are as follows:*

- (a) to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area,*
- (b) to ensure continuous public access along the foreshore area and to the waterway.*

(2) *Development consent must not be granted for development on land in the foreshore area except for the following purposes:*

- (a) the extension, alteration or rebuilding of an existing building wholly*

or partly in the foreshore area, but only if the development will not result in the footprint of the building extending further into the foreshore area, (b) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).

(3) Development consent must not be granted under this clause unless the consent authority is satisfied that:

(a) the development will contribute to achieving the objectives for the zone in which the land is located, and

(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and

(c) the development will not cause environmental harm such as:

(i) pollution or siltation of the waterway, or

(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or

(iii) an adverse effect on drainage patterns, or

(iv) the removal or disturbance of remnant riparian vegetation, and

(d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and

(e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and

(f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and

(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and

(h) sea level rise, coastal erosion and recession, or change of flooding patterns as a result of climate change, have been considered.

(4) In deciding whether to grant consent for development in the foreshore area, the consent authority must consider whether and to what extent the development would encourage the following:

(a) continuous public access to and along the foreshore through or adjacent to the proposed development,

(b) public access to link with existing or proposed open space,

(c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land,

(d) public access to be located above mean high water mark,

(e) the reinforcing of the foreshore character and respect for existing environmental conditions.

(5) In this clause:

foreshore area means the land between the foreshore building line and the mean high water mark of the nearest natural waterbody shown on the Foreshore

Building Line Map.

foreshore building line means the line shown as the foreshore building line on the Foreshore Building Line Map.

There are no works proposed beyond the foreshore building line that traverses the lower part of the site except for the new paving at the existing ground level, reconfigured garden walls and landscaping.

5.2 Proposed Environmental Planning Instruments

Draft Remediation of Land SEPP

It is noted that SEPP 55 - Remediation of Land will be repealed by the finalisation of the Draft Remediation of Land SEPP where the matters for consideration under the draft SEPP would be similar to the current policy. The provisions of the draft SEPP are considered to be met accordingly.

5.3 Development Control Plans

Pittwater 21 Development Control Plan (the P21DCP)

The following provisions of the P21WDCP are relevant to the proposal.

Section C - Development Type Controls.

Section C1 - Design Criteria for Residential Development

C1.1 – Landscaping

The proposal will be consistent with the outcomes for landscaping and will not involve the removal of any of the six existing gum trees. Two spotted gums (T1 and T2) are located at the front of the site and three Spotted gums and a Grey Ironbark (T3, T4, T5 and T6) are located at the rear below the house.

An Arboricultural Impact Assessment Report prepared by Ross Jackson Consulting Arborist of Jacksons Nature Works, dated 8 June 2021 is submitted with the development application. It provides an assessment of all of the significant trees on the site and recommendation in relations to maintenance and protection.

Landscaping is proposed at the front and rear of the site and a landscape design L100.C prepared by Spirit Level is submitted with the development application.

C1.2 Safety and Security

The proposal will not alter the safety and security of residents as it is now. There will be a secure entry to the site at the front boundary as part of the new elevated walkway and stairs.

C1.3 View Sharing

The proposal actually involves a reduction the height of the building and the roof.

There are no elements of the proposal that would be likely to have an adverse impact on views and view sharing, including the adjoining properties and the houses opposite, on the high side of Prince Alfred Parade.

C 1.4 Solar Access

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).

Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.

Shadow diagrams have been prepared for 9am, 10am and 12 noon and 3pm on 21 June in plan and in elevation to 104 Prince Alfred Parade, for 9am, 10am, 11am and 12 noon and are submitted with the development application.

The proposal involves only a minor increase in overshadowing of the double height doors to the living room in the eastern side wall of the house at 104 Prince Alfred Parade in the morning period at 9am and 10am. There are also windows to the living room facing north to the view and the solar access to these windows will be unaffected by the proposed work. For the most part, the overshadowing is contained within the shadow cast by the existing house and roof eaves.

Existing solar collectors and roof mounted hot water systems of adjoining dwellings are not affected and the proposal therefore meets the solar access criteria of the DCP, notwithstanding the minor increase in overshadowing as outlined.

C1.5 Visual Privacy**C1.6 Acoustic Privacy**

The proposal does not involve any changes that would affect the existing acoustic privacy and visual privacy and overall amenity of the adjoining properties.

Blade walls as privacy screens are proposed at either end of the existing living room level terrace where there is currently no screening between properties. Even though the living room terrace on Level 2 is to be extended by 2.0m, the privacy and amenity of the adjoining properties will be maintained and will actually be improved by the screening measures proposed.

C1.8 Dual Occupancy Specific Controls

This section is not applicable to the proposal.

C1.9 Adaptable Housing and Accessibility

This section is not applicable to the proposal.

C1.10 Building Facades

The building façade will not be visible from the street because the house is positioned downslope on this steeply sloping site behind the proposed carport.

It has a greater presence from the waters of Old Mangrove Bay and Pittwater. In this regard, the north facade of the building will have an attractive appearance from the bay and will actually have a more discreet presence on the slope and less bulkier than the higher pitched roof and enclosed swimming pool at the lower ground level.

C1.11 Secondary Dwellings and Rural Workers Dwellings

This section is not applicable to the proposal.

C1.12 Waste and Recycling Facilities

The location of the waste and recycling facilities will be consistent with the outcomes of the DCP being located at the front of the site on the side of the carport.

C1.13 Pollution Control

This section is not applicable to the proposal.

C1.14 Separately Accessible Structures

This section is not applicable to the proposal.

C1.15 Storage Facilities

This section is not applicable to the proposed alterations and additions to a dwelling house. General storage and waste storage areas are however provided under the void proposed carport.

C1.16 Development Ancillary to Residential Accommodation

This section is not applicable to the proposal.

C1.17 Swimming Pool Safety

This section is not applicable to the proposal, because the swimming pool is existing and the existing swimming pool safety fencing will be upgraded to comply with the Australian Standard.

C1.18 Car/Vehicle/Boat Wash Bays

This section is not applicable to the proposal.

C1.19 Incline Passenger Lifts and Stairways

This section is not applicable to the proposal.

C1.20 Undergrounding of Utility Services

This section is not applicable to the proposal.

C1.21 Seniors Housing

This section is not applicable to the proposal.

C1.23 Eaves

Eave overhangs are provided on the sides of the house for solar control and shading.

C1.24 Public Road Reserve – Landscaping and Infrastructure

This section is not applicable to the proposal.

C1.25 Plant, Equipment Boxes –Landscaping and Infrastructure

This section is not applicable to the proposal.

Section D - Locality Specific Development Controls***D10 Newport Locality******D10.3 Scenic Protection.***

The visual impact of the development is acceptable as demonstrated in the photomontages submitted with the application.

D10.4 Building colours and materials

The proposal includes natural colours and finishes including stone cladding and light coloured cement rendered walls, powder coated aluminium windows and external doors to complement the colours of the house and light coloured metal roofing that will complement the visual character of the townscape.

D10.7 Front building line

The existing front building line of the house will be unchanged and the carport will be located further forward of the existing carport up to the front boundary and in line with the carport and parking platform on the adjoining property at 104 Prince Alfred Parade.

D10.8 Side and rear building line

A side setback of 2.5m applies to one side boundary and a 1.0m setback applies to the other side boundary. Minor encroachments of eaves overhangs are permitted in the side setback.

The side setbacks are unchanged and will be the same as the side setbacks of the existing building.

The rear setback will unchanged except for the opening up of the indoor pool that will actually increase the foreshore setback to the house.

D10.11 Building envelope

A building envelope applies measured from a point 3.5m above the side boundary at any point and projected at 45° to 9.5m which is the maximum building height.

The proposal will largely comply with the building envelope control because the height of the building is actually reduced and the side setbacks are maintained.

10.13 Landscaped area – Environmentally Sensitive Land

A minimum landscaped area of 60% of the site area is required in the E4 Environmental Living zone.

The existing landscaped area has been calculated to be 31% of the site and the proposed landscaped area has been calculated to be 33% of the site. This has been achieved by the reduction in paved impervious areas on the site.

Even though the landscaped area is less than the minimum 60%, this reflects the existing situation. The landscape of the site and balance between the built form and landscaping on the site will be largely unchanged and this is evidenced in the photomontage taken from the bay and in particular the existing tree canopy that is unaffected and will be retained and protected.

5.4 Planning Agreements

There are no planning agreements of a kind referred to in Section 7.4 of the Environmental Planning and Assessment Act, applicable to the subject development application.

5.5 Environmental Planning & Assessment Regulation 2000

The following provisions of the Environmental Planning and Assessment Regulation 2000 (the Regulation) are applicable to the proposed development.

Clause 92(1) (b) of the Regulation includes additional matters that Council must consider in determining a development application. Clause 92(1) (b) specifically relates to consideration of the provisions of Australian Standard 2601-1991: The demolition of structures.

The proposal includes demolition of some internal and external walls and the roof of the existing dwelling house and carport and therefore the provisions of AS2601 apply to the proposal.

5.6 The likely environmental, social or economic impacts of the development

The proposal will not involve an adverse impact on the natural and built environment.

It will not involve the removal of any existing native trees or natural features on the site. The existing landscaping and the overall landscaped setting of the house and the site, particularly when viewed from the bay will be maintained and enhanced.

The proposed alterations and additions including the new front carport new low profile pitched roof and the removal of the pool enclosure will enhance the appearance of the house. It will be a height and bulk and scale that will be compatible with the general two storey form and scale of the surrounding residential development. It will also not involve an adverse impact on neighbours views, privacy or solar access.

It will not involve any adverse social or economic impacts in the locality.

5.7 The suitability of the site for the development.

The site has a long history of residential use. The continued use of the land for residential purposes as a dwelling house is an appropriate use of the land consistent with the residential zoning.

5.8 Submissions made in accordance with the Act or Regulations

The proposal constitutes local development and it will therefore not be necessary for Council to seek comments from any external authorities or approval bodies.

5.9 The public interest

The public interest is considered in terms of compliance and consistency with the relevant planning controls applicable to a proposed development.

The continued use of the land for residential purposes is consistent with the objectives for the E4 Environmental Living Zone.

The proposal will be consistent with the objectives of the LEP and even though there will be a minor breach of the height of buildings standard, the proposal actually involves an overall reduction in the height of the building and the roof. A well founded Clause 4.6 exception request is submitted with the development application, which demonstrates that notwithstanding the breach of the height of buildings standard the objectives of the standard and the objectives of the E4 Environmental Living Zone will be met.

The proposal will also be consistent with the objectives and controls relating to setbacks, landscaping and design and streetscape of the P21DCP.

The proposal will improve the function and amenity of the house as well and will maintain the amenity of neighbouring properties in relation to visual and acoustic privacy, views and outlook, and solar access.

In the circumstances, there are no discernible issues relating to the proposal that would be contrary to the public interest.

6. Conclusions

The proposal is for alterations and additions to the existing dwelling house and carport, replacement of the existing pitched roof with a low profile, low pitched metal clad roof. The existing indoor pool is to be altered by reducing the size of the pool and removing the enclosing walls and roof.

The proposed additions have been designed to improve the existing form and character of the house and with particular consideration of the site constraints and position of the house on this sloping site. It will also improve the function and amenity of the house, accessibility by the new lift and the connection with the outdoors spaces and the north aspect to the bay.

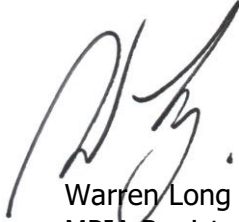
It will maintain the amenity of the neighbouring properties and will also maintain compatibility with the height and scale of the surrounding dwelling houses in this locality.

It will be consistent with the objectives and standards for development in E4 Environmental Living Zone of the Pittwater Local Environmental Plan 2014 and the objectives and controls of the Pittwater 21 Development Control Plan, notwithstanding the minor departure from the height of buildings standard and the landscaped area control of the DCP for environmentally sensitive areas, as outlined.

For these reasons, I support the proposal and I consider that Council's favourable determination of this development application is warranted.

Disclosure of political donations and gifts*Environmental Planning and Assessment Act 1979 as amended Section 10.4 –
Disclosure of political donations and gifts*

I declare that I have made no reportable political donations to a Northern Beaches Councillor and I have provided no gifts of a kind referred to Section 10.4 of the Environmental Planning and Assessment Act to a Northern Beaches Councillor or Council employee in the last 2 years or at any time.



Warren Long
MPIA Registered Planner
Principal of Longitude Planning Pty Limited

Dated: 2 July 2021

Appendix 1

Clause 4.6 Exceptions to development standards of the Pittwater Local Environmental Plan 2014.