

REVISION: B
OCTOBER 2021

1.0 INTRODUCTION

This report is submitted to Northern Beaches Council in support of a Development Application for the demolition of the existing boatshed and construction of a new boatshed with recessed slip rails to be added to the existing concrete ramp.

This submission has been prepared by Mark Hurcum Design Practice on behalf of the applicant Mr T Browne.

This application conforms with all statutory planning requirements with the exception of a minor non-compliance to side and rear setbacks. These non-compliances have been covered in detail below. The development has no significant adverse environmental effects and no persons would be prejudiced by its approval.

The report contains a description of the proposal and a Statement of Environmental Effects. This report should be read in conjunction with the accompanying architectural plans numbered A001A-A002A (inclusive), A101A, A201A, A221A, and Foreshore Photo Study prepared by Mark Hurcum Design Practice and Site Survey, ref. No. 73181C prepared by Burton and Field Pty Limited.

2.0 LOCATION AND SITE DESCRIPTION

The subject site, 3 Panima Place Newport, is legally known as Lot 6, Deposit Plan No. 563641. The property is situated on the north-western end of an access-way off Panima Place.

The site has an area of 1132 sq.m and is within the E4 Environmental Living Residential Zone. The site is a tapered block measuring approximately 18.6m along the southwest boundary, 48.2m along the northeast boundary, 30.6m along the northwest boundary and 47.8m along the southwest boundary. The site is situated to the northwest of Panima Place and falls 11.3m across the site from southeast to northwest, with a steep increase in gradient through the area beyond the Foreshore Building Line.

The site is currently under construction for the following development approvals: N0468/17, Mod2018/0448 and Mod2019/0152.

Along the waterfront there is a public reserve with a stone retaining wall and two jetties. A concrete slipway provides access to the existing boatshed. The existing boatshed is located partially below the Mean High Water Mark (M.H.W.M) and therefor is partially on Crown Land.

The adjoining properties along the southwest boundary (N°140 and N°140A) are two-storey residences. N°140A to the southwest has a boatshed and swimming pool built within the foreshore building line.

The adjoining property along the northeast boundary (N°4) is a two-storey masonry residence. We note that this property is currently undergoing construction works to the rear of the site.

3.0 STATUTORY CONTROLS

The property is subject to Pittwater Council's LEP 2014 and under these provisions is zoned E4 – Environmental Living. The property is also subject to Pittwater Council DCP21, Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018.

4.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development will replace the existing boatshed that has been there for decades and is now in a state of disrepair with a new boatshed with recessed slip rails to be added to the existing concrete ramp. No change is proposed to the existing fall and extent of the existing ramp other than the addition of recessed slip rails which will run adjacent to the existing jetty. The proposed boatshed is located within the lot boundaries and is set back into the slope to maintain the visual quality of the surrounding foreshore. It is of an appropriate scale and form and consistent with other boatsheds in the area.

5.0 STATEMENT OF ENVIRONMENTAL EFFECTS

5.1 Statutory Compliance

The use of the site as a Residence complies with the E4 – Environmental Living Zoning for the Newport locality. The proposed development is a local development and conforms to Pittwater Council LEP 2014.

- The site is not located within the Heritage Conservation Area nor a Heritage Item
- The site is not located in a Bushfire Prone Area
- The site is along the Foreshore Building Line
- The site is within the Scenic Protection Category 1
- The site is within the Geotechnical Hazard Zone 1 – Landslip
- The site is not located in a Coastline Hazard Area
- The site has a Class 5 Acid Sulphate Soil classification

5.2 Locality Character

The waterfront wall of the proposed boatshed and adjacent retaining wall have been aligned with the existing retaining wall. The proposed boatshed sits within a landscaped slope as shown on A201A. It will not be visually prominent and is consistent with adjoining properties and reflects the desired future character of the locality.

5.3 Landscape Area and Impervious Landscaped Area

Site Area = 1132 sq.m

Landscaped Area

Minimum Landscape Area = 60% of site area (max.)
= 679.2 sq.m

Existing Landscape Area = 742.4 sq.m (65%)
(Complies)

Proposed Landscape Area = 680 sq.m (60%)
(Complies)

No change proposed to Landscape Area calculation as submitted on SK06A.

5.4 Setbacks

No change is proposed to the setbacks of dwelling currently under construction approved under the following development approvals: N0468/17, Mod2018/0448 and Mod2019/0152.

The following setbacks are proposed for the new boatshed.

Side Setback

Building Side Setback Control	= 2.5m to at least one side, 1m for other side (min.)
Existing side setback – Boatshed	= 0.65m (SW – Existing non-compliance)
Proposed side setback – Boatshed	= 0.02m (SW – Non-compliant)

Rear Setback

Building Rear Setback Control	= 6.5m other than where Foreshore Building line applies
Existing rear setback - Boatshed	= 0m (Compliant)
Proposed rear setback – Boatshed	= 0.02m (Compliant)

Similar to the existing boatshed the proposed boatshed is non-compliant with the side setback. Despite this, it will not compromise the views, amenity and privacy of the adjacent neighbours as it is excavated into the surrounding slope.

5.5 Building Height and Building Envelope

The following controls reference clause D15.15 of the Pittwater DCP - Waterfront Development - Guidelines for boatsheds.

Building Height

Boatshed Height Control	= 4.5m (max.) From the platform on which it is built
Existing Boatshed	= 2m approx. (Compliant)
Proposed building height	= 3.5m (Compliant)

Building Envelope

Clause D15.15 limits the maximum dimensions of the boatshed to 4m in width and 6m in length. The proposed boatshed complies with these controls. As the wall facing the foreshore is angled so as to match the existing retaining wall the depth varies and is taken to be the depth at its

5.6 Views and Privacy

Views

As the proposed boatshed will be excavated into the existing slope it will not impact the views of neighbouring properties.

Privacy

The proposed roof of the boatshed will be not be trafficable and will not impact the privacy or amenity of surrounding properties.

5.7 Solar Access

The proposed boatshed will have no impact on adjoining properties in this regard.

5.8 Landscaping and Flora and Fauna Impact

Research of the property had indicated that the proposed boatshed will not adversely affect any wildlife corridors. The numbers of canopy trees to be met on site will comply with Council's Control. Existing level of landscaping is to be maintained to provide privacy and the existing foreshore garden areas are to be revitalised with the new boatshed and landscaping works which are consistent with the slope of the terrain. Refer to Landscape Concept Plan numbered A003A.

5.10 Foreshore Building Line and Foreshore Scenic Protection Area

Foreshore Building Line runs through the adjacent dwellings N°104A and N°4 and their associated existing boatsheds are well in front of the Foreshore Building Line.

The subject site is within the Scenic Protection Category 1 Area and the proposal complies with the Council's objectives by preserving and enhancing the visual significant of the area. It is noted that the proposal will maintain the scenic aspect of the locality, visually integrating built form with the landscape and significant vegetation is maintained.

5.12 Acid Sulphate Soil

The subject site is identified as Class 5 on the Acid Sulphate Soils map. The proposed works on the residence are minimal and non-invasive and are not likely to lower the water table below 1m AHD on this or any adjacent site, regardless of classification. A Geotechnical Risk Management Report by JK Geotechnics has been included with this submission with discussion on excavation works.

5.13 Geotechnical Hazards – Zone 1

The subject site has been identified by Pittwater Council as located in a Geotechnical Hazard Zone 1 – Landslip Area. A Geotechnical Risk Management Report by JK Geotechnics has been included with this submission. The proposed boatshed has been located on the south-western corner of the lot to minimise site disturbance and reduce the extent of excavation for the new works. This reduces the likelihood of any adverse impact to the environment. The subject site is not affected by wave inundation and coastal erosion, and it is outside the Pittwater Overland Flow Flood Study and Mapping Area.

5.14 Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018

Under the SEPP (Coastal Management) 2018 policy, *development consent must not be granted to development on land that is within the coastal use area unless the consent authority –*

(a) has considered whether the proposed development is likely to cause an adverse impact on the following—

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (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*

(b) is satisfied that—

- (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*
- (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

The proposed development will not likely cause an adverse impact on the items mentioned above. The proposed development will not alter the existing, safe access to the foreshore, will not cause any overshadowing, wind funneling or loss of views from public places and will improve the visual landscape of the waterfront.

An Estuarine Risk Management report has also been prepared by Salients dated 26 October 2021 to accompany this application.

5.15 Colours, Materials and Construction

The external colours and materials selected for the proposed boatshed have been chosen to harmonise with the natural environment as well as the Newport locality. They will be consistent with those previously approved for the dwelling on site. Refer to Elevations for colour scheme and finishes extent.

5.16 Waste Management

A Waste Management Plan has been prepared and forms part of this Development Application. During construction period, building materials will be reused and recycled where possible. Bin storages will be provided for ongoing domestic waste management.

6.0 CONCLUSION

It is submitted that proposed Boatshed at N°3 Panima Place Newport are both reasonable, appropriate and in accordance with the desired future of the locality.

- The proposed works comply with the aims and objectives of Council's Controls and Policies.
- Non-compliances on landscaping and setbacks are all existing conditions to be retained and the proposed boatshed will not impinge on the amenity of neighbours or the local environment with regard to solar access, privacy and views.
- The proposed works greatly improve the amenity of the existing residence and the ability of the occupants to enjoy their waterfront location.
- The proposed boatshed is subservient to the surrounding environment and will not detract from the character and quality of building works in the area.

We believe this is a quality addition to the Newport Locality, no person will be prejudiced by its approval and that consent should be granted to this application.