



Statement of Environmental Effects

**Alterations and additions including to an existing dwelling at
16 Gertrude Ave Newport, NSW 2106**

~~27 February 2023~~
Amended 3 March 2023

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1. Introduction

This Statement of Environmental Effects accompanies architectural plans prepared by Project 39 which detail proposed alterations and additions to an existing dwelling located at **16 Gertrude Ave Newport, NSW**.

The drawings referenced in this report are:

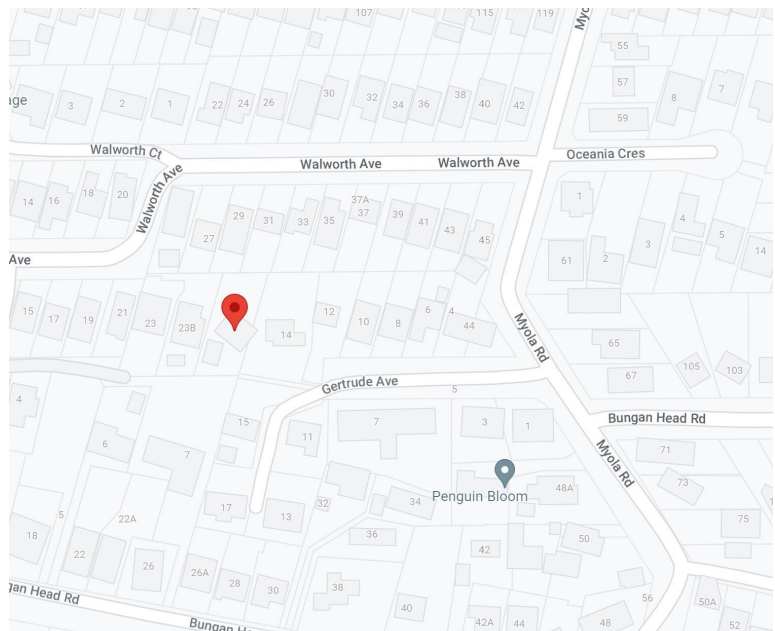
DA000 Cover Sheet - Rev 01
DA01 Proposed Site Plan – Rev 01
DA02 Site Analysis Plan – Rev 01
DA05 Demolition Plan – Rev 01
DA10 Proposed Lower Ground floor Plan – Rev 01
DA11 Proposed Ground Floor Plan– Rev 01
DA12 Proposed First Floor Plan – Rev 01
DA20 Proposed Elevations 1 – Rev 01
DA21 Proposed Elevations 2 – Rev 01
DA30 Proposed Sections – Rev 01
DA40 Gate Entry Details -Rev 01
DA50 Notification Plan – Rev 01

This statement describes the site and surrounding area and assesses the proposed works against the relevant planning controls, policies, and local environment. This assessment concludes that the proposal complies with the relevant council controls and is suitable for the site and as such should be supported by Council.

2. Site description

The site is legally identified as Lot 2 in DP 1009503 (House number 16) and is located at the end of the Gertrude Ave cul-de-sac on a battle-axe block. It has an area of 1215m² (inclusive of the driveway portion) and is approximately 21.5m wide and 50.0m deep. It is accessed via a shared driveway from Gertrude Ave. The site is located on the Northern side of the Bungan Head hill and has a notable fall from the South towards the north and a slight fall from east to west in a sideways direction.

The site is currently occupied by a two-storey brick veneer and timber clad dwelling which is currently under construction and due for completion later this year. The dwelling was approved in February 2022 under a Complying Development Application – CDC20220196. The existing dwelling consists of 3 bedrooms and a Sitting room to the first floor and a guest (4th) bedroom, open plan kitchen, dining, living and ancillary areas to the ground floor. A 2-car garage and entry area is located on a mid level. There is a 3.0m wide terrace facing north over the rear garden. There are established gardens including substantial hedges along the northern and southern boundaries which provide privacy for the subject site



Location Plan – 16 Gertrude Ave Newport

and neighbouring properties which are to be retained. New proposed landscaping will be carried out as part of the proposed new works along the side boundaries.

The site is in a typical residential area surrounded by other two & three storey residential dwellings of a similar style and size. All of the houses in the nearby area are typically designed to face North and capture the coastal and water views. This has resulted in the houses being located as far up the hill as possible – many with the living areas on the first floor with outdoor terraces and decks.

By nature of the subdivision layout, the subject property shares boundaries with a total of 6 properties as follows:

14 Gertrude Ave Newport*

15 Gertrude Ave Newport

23B Walworth Ave Newport*

7 Bushrangers Hill Newport

29 Walworth Ave Newport

31 Walworth Ave Newport

* No. 14 Gertrude Ave and No 23B Walworth are the closest neighbouring properties to the proposed development.

There has been significant development and rebuilding in the immediate area over the last 5-8 years with 4 out of the 6 adjoining properties undergoing major rebuilding or renovation works.

The subdivision on which the subject property resides was generously proportioned and so the subject site (and neighbouring properties) benefit from boundary setbacks which are greater than what the planning controls require which allow for above the standard separation and landscape screening opportunities. The natural fall of the land has resulted in houses on the east side being slightly higher than those on the adjoining west side as the geography naturally falls from the east towards the west.

The site is not affected by flooding, bushfire, heritage, Biodiversity or Geotechnical issues.

The site is located within Area the 5 Acid Sulfate Soils area.



Artist impression of existing dwelling which is currently under construction on the subject site



Existing dwelling at no. 14 Gertrude Ave Newport to the East which shares the driveway with the subject property – Front of the house faces South



Existing Dwelling at No. 15 Gertrude Ave Newport to the South which shares a boundary with the shared driveway access



Existing Property no. 23B Walworth Ave Newport to the West adjoining the subject property. Front of the house faces North

3. The proposal

The proposed alterations and additions allow for the following improvements:

- Modifications to the first-floor doors and roof area to provide access to a trafficable balcony area including new compliant balustrade;
- Extension at a new Lower Ground Floor level to allow for a cinema, office and toilet provisions which connect internally via an existing stair;
- The addition of an attached secondary dwelling on the new Lower Ground Floor;
- A new pool and spa including associated decking and landscaping which feeds from the Ground Floor level of the existing dwelling;
- External stair access to the garden from the new pool and Decking areas for the existing dwelling;
- Relocated vehicular gate and new pedestrian gate/intercom and associated landscaping.

The design of the proposed alterations and additions have been driven by the need to retain the privacy of the subject dwelling occupants and the immediate neighbouring properties. Whilst the proposed new decks and pool coping levels are elevated above natural ground, they are still below the floor levels of the two closest adjoining property owners – resulting in outdoor living solutions which are private for both the subject property occupants and the neighbours.

The new deck areas and pool/spa is proposed to be at the same (or similar) level as the Ground Floor of the existing dwelling to provide an immediate indoor/outdoor connection to North Facing outdoor spaces for the subject property. The outdoor areas also take advantage of the views to Newport Beach.

The natural ground levels of the site from the battle-axe handle to the far rear western corner of the existing terrace has a notable fall - approximately 4.4m - which has resulted in the proposed ground floor of the

existing dwelling being elevated above natural ground. This was a result of balancing the driveway gradient and internal level changes for the dwelling – ensuring that the dwelling was within the maximum height limit for the site. The levels naturally provided for space at low level beyond the footprint of the existing house which could accommodate the secondary dwelling and office/cinema extension. Initially the design for the secondary dwelling involved a freestanding structure located at the far rear of the garden. Once designed, this presented unnecessary privacy and visual concerns for the owners and the adjoining neighbours. As such the new proposed secondary dwelling design is out of view from the subject dwelling and also out of view from the neighbouring properties.

The proposed secondary dwelling is to be occupied by a family member and will not be seen or looked upon by either neighbour. It is hidden and tucked in underneath the terrace and pool levels of the subject dwelling ensuring that visual and audible privacy is maintained. The design also ensures the privacy is maintained between the occupants of the subject dwelling and the secondary dwelling occupants. The proposal is efficient in the allocation of space and allows for good solar access for the secondary dwelling along with providing excellent visual connection from within the secondary dwelling to the extensive rear garden of the site.

The proposed new external stair separates the secondary dwelling from the new cinema and office extension and allows for window placement along the western side of the secondary dwelling for ventilation and natural light. The stair is an open tread stair to allow for planting underneath which will soften the masonry walls and provide a landscaped backdrop and improved natural light for the secondary dwelling. The stair also provides direct access to the rear garden for the existing dwelling occupants.

The proposed cinema and office extension provide additional space and function for the dwelling owners who, since the pandemic, continue to work from home and need additional office space for these purposes. The proposed glazing in this space is kept to a minimum to again assist with noise management and privacy and has been restricted to a modest louvre window for ventilation and a single sliding door facing North.

Proposed colours and materials are in keeping with the existing dwelling and have been proposed to provide a cost effective yet robust style suitable for a modern home in this coastal location.

Suspended concrete 'lids' form the roof for the Lower Ground Floor extensions which minimise the overall height of the structures which again reduce privacy and overshadowing issues. Privacy is again maintained on both sides of the extensions, via a 1200 high solid masonry wall on the east side and raised garden planter beds around the perimeter of the decked areas on the west side. Additional planting along both boundaries is also proposed which provides a secondary layer of privacy, screening and landscape softening.

The proposal is summarised as follows:

Site area:	1215m²
Existing Floor Area:	258.35m²
Addition Floor Area:	99.89m² (Secondary dwelling component – 59.76m²)
Total Gross Floor Area:	358.24m²
Required Landscape Area:	50% x 1215m² = 607.575m²
6% Impervious Landscape:	6% x 1215m² = 72.909m²
Minimum Soft Landscape Area:	534.66m²
Proposed Landscape area:	604.17m²

4. Impacts

The impacts of the proposed works are considered to be minimal, if any at all.

The proposed extension has been carefully designed to have minimal impact on the neighbouring properties. It is single level in nature and so does not introduce any overshadowing to the neighbouring properties or propose any privacy issues. It is modest in scale and has been designed to sit comfortably at low level on the site – excavation has been contained within the footprint of the extension with the natural ground levels being left untouched between the proposed structure and the side boundaries.

The proposed boundary setbacks are generous allowing secondary layers of landscaping and screening to be proposed along with a sense of space and separation as follows:

Western Boundary setback: 1.83m

Eastern Boundary Setback: 3.41m

Northern Boundary setback: 16.625m at its closest point

The proposed landscaping levels for the pool coping and decks are RL 39.13 (east side) and RL 38.96 (west side).

The two closest adjoining dwellings are described below - we have reviewed and discussed the proposed plans with both neighbours:

- **No 14 Gertrude (East side)**

The existing dwelling at no. 14 Gertrude Ave Newport was recently constructed in 2021-22 and approved under a Complying Development Application. It is a two-storey dwelling positioned approximately 2.4m from the adjoining boundary and has the master bedroom, living areas and large terrace located on the upper first floor. The front of the house faces South to the shared driveway accessed from Gertrude Ave and the rear of the house faces North. We understand it has been constructed with the following RL's:

Ground Floor – RL 39.8 (670mm above the proposed pool coping level)

Upper First Floor – RL 42.7 (3.57m above the proposed pool coping level)

Lower Parapet roof – RL 45.4

Upper Parapet Roof – RL 46.35

- **No 23A Walworth (West side)**

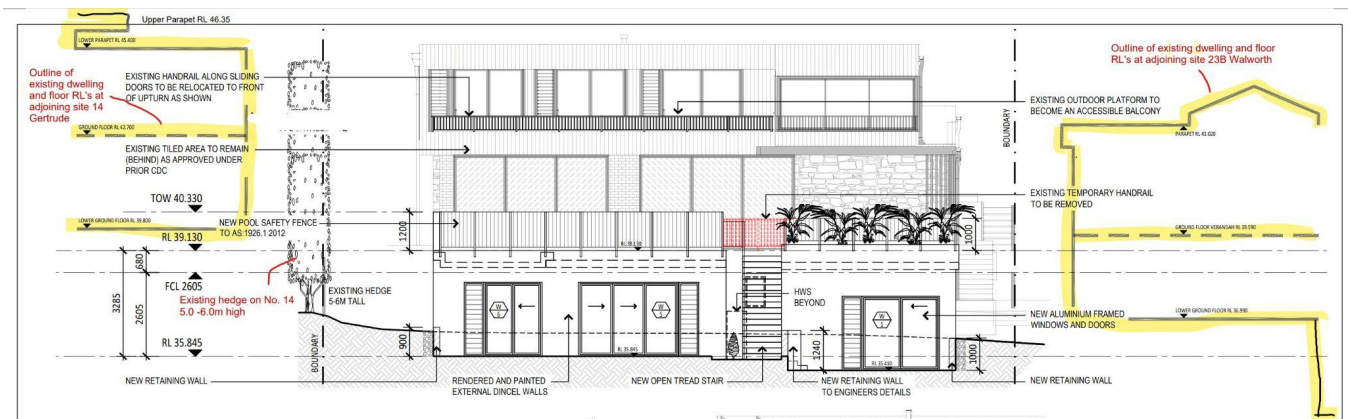
The existing dwelling at no. 23B Walworth Ave Newport is a 2-3 storey dwelling with the garage at the lower ground floor level and a combination of bedrooms and living areas including north facing terraces on the upper and mid floor levels. Unlike the adjoining dwelling at no. 14 Gertrude which has the front of the house facing South to Gertrude Ave (and rear to the North) this house has the front facing North to Walworth Ave and a rear garden facing south. It is located approximately 1.8m from the adjoining boundary and has the following RL's:

Upper Ground Floor Level and terrace – RL 39.59 (680mm above the proposed deck level on the west side)

Lower Ground Floor level – RL 36.99 (1.97m below the proposed deck level on the west side)

Upper Ridge – RL 44.27

The below image represents the location and heights of the two neighbouring dwellings:



North facing elevation of subject site and location and heights of the two adjoining neighbouring dwellings

Impact conclusion:

Despite being elevated, the proposed decking and pool coping levels are well below the floor and terrace RL's of the two adjoining neighbouring dwellings. Refer to image above. The proposed design and extension works are not unlike the designs of the two adjoining dwellings in that they both have been designed to provide external North facing terrace and balcony spaces to capture views and natural sunlight.

The rear setback from the proposed works to the Northern boundary is 16.625m at its closest point – ensuring that the privacy of the adjoining neighbours to the North is also considered and maintained.

The proposal provides much needed outdoor living space - which is easily accessible from the main living areas - for the occupants whilst maintaining and considering the privacy and amenity of all neighbours.

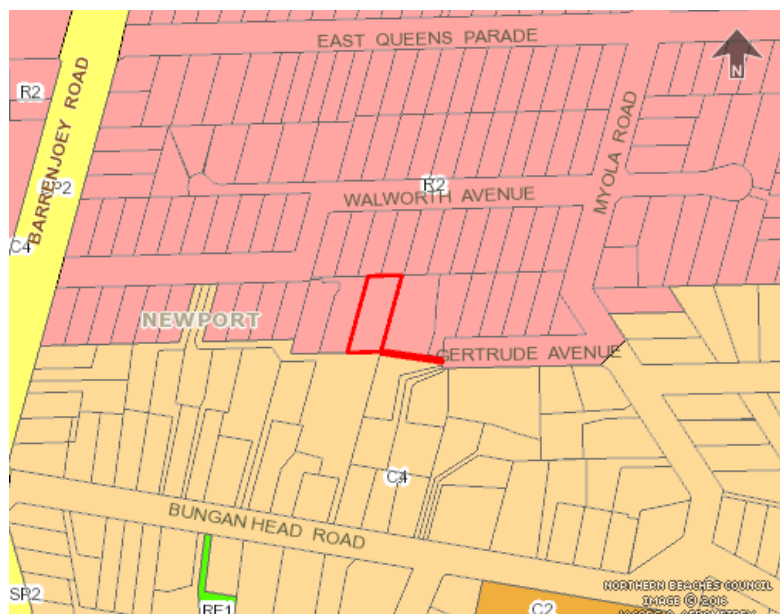
5. Planning Controls – Pittwater Local Environmental Plan 2014

Clause 2.3 Zone Objectives and land use

The subject site is zoned R2 Low Density Residential under Pittwater LEP 2014 and dwelling houses are permitted with consent.

The objectives of this zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses



It is considered that the proposed alterations and additions to the existing dwelling are consistent with these objectives.

Clause 4.3 – Height of Buildings

The maximum building height for the site is 8.5m.

The proposed new works are single level and as such do not exceed this height limit.

Clause 5.10 Heritage conservation

The property is not affected by any heritage orders and is not located near a heritage item

Clause 5.11 Bush fire hazard reduction

The property is not affected by Bushfire risks

Clause 5.21 Flood Planning

The property is not affected by Flood risks

Clause 7.1 Acid Sulfate Soils

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 Area 5 - 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 water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

The proposal is not located below the 5m AHD level and is not located within 500m of class 1, 2,3 or 4 land so acid sulfate soils will not be disturbed.

Clause 7.7 Geotechnical Hazards

The site is not located in a Geotechnical slip risk area, however a small portion of the shared driveway partly falls within the H1 zone – this will have no impact on the proposed works as they are located well away from this area.

6. Planning Controls – Pittwater 21 Development Control Plan 2014

Council's Pittwater DCP Part B (General Controls), Part C (Development Type Controls) and Part D (Locality Specific Development Controls) provide the framework and policies for development within the Pittwater area.

Section B – General Controls

B1 Heritage Controls

The site is not affected by heritage controls

B2 Density Controls

The proposal does not involve a subdivision and therefore this clause does not apply.

B3 Hazard Controls

The site is not affected by landslip, bushfire, contamination or flooding.

B4 Controls relating to the Natural Environment

The site is not affected by any Environmental controls

B5 Water Management

B5.5 Rainwater tanks

All development creating an additional hard (impervious) roof area of greater than 50m² must provide a rainwater tank for non-potable use connected to external taps for the purpose of landscape watering and car washing and a functional water reuse system including, water supply for toilet flushing and other uses as permissible under the current Code of Practice for Plumbing and Drainage.

The existing site benefits from 6000L of rainwater re-use and 9000L of Onsite detention previously approved under a Complying Development Application. This is managed via 3 x 5000L RWTs on the western side of the site. These tanks service the WC's, laundry and external taps for the existing dwelling.

Under BASIX, the secondary dwelling requires a 2000L RWT for water reuse (WC, Laundry and 1 x external tap). The water captured by the proposed concrete 'lids' which form the roof of the new secondary dwelling and office/cinema extension is not considered to be re-usable by the Stormwater Engineers. As a result, it is proposed to instead redirect water from a portion of the roof of the existing dwelling to fill the new 2000L rainwater tank. This section of the roof was previously feeding the 15,000 L tanks and was considered to be an oversupply.

Refer to the Stormwater plan prepared by Taylor Consulting Engineers for more information.

Clause 5.15 Stormwater

- *Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;*
- *Minimise the risk to public health and safety;*
- *Reduce the risk to life and property from any flooding and groundwater damage;*
- *Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.*
- *Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*
- *Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*
- *Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.*
- *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.*

The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.

The site benefits from an existing S/W drain and easement along the Northern boundary of the site (rear) and S/W is piped to this system as required. There are 3 x 5000L RWT's on the western side of the site which include 6000L rainwater reuse and 9000L onsite detention capacity.

The proposed new works include capturing the S/W from the 'lid's of the secondary dwelling and new cinema/office is piped into the existing S/W system. Refer to the submitted Stormwater Plan prepared by Taylors Consulting Engineers for further information.

B6 Access and Parking

The proposal does not make any changes to the existing site parking provisions.

B8 Site Works Management

B8.1 Construction and Demolition – Excavation and landfill

Outcomes

Site disturbance is minimised. (En)

Excavation, landfill and construction not to have an adverse impact. (En)

Excavation and landfill operations not to cause damage on the development or adjoining property. (S)

Controls

Excavation and landfill on any site that includes the following:

- *Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be retained on the site, than the overall depth of the excavation;*
- *Any excavation greater than 1.5 metres deep below the existing surface;*
- *Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property;*
- *Any landfill greater than 1.0 metres in height; and/or*
- *Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.*

Variations

Nil

Information to be included in the Statement of Environmental Effects

- *A statement in relation to the proposed development outlining how it has been designed and will be constructed to address the potential for landslip and subsidence as a result of excavation.*

The proposed works include excavation which is contained within the building footprint and does not extend beyond the external Dintel walls as follows:

1. West side up to 1.79m at its deepest point and 1.83m from the adjoining western boundary.
2. East side (around the middle of the site) up to 1.75m at its deepest point approximately 7.0m from the eastern boundary.

The external walls of the pool, secondary dwelling and cinema/office are 200mm thick core filled Dintel walls (as per the Engineer's details) and will retain the excavated earth well inside the property. All excavation proposed is contained within the building footprint resulting in all areas between the walls and the boundary being maintained at the natural ground line. This will allow the existing fences to remain unaltered and

proposed landscape screening to be grown and maintained at a suitable height for both neighbouring properties.

Fill does not exceed 1.0m.

B8.2 – Construction and Demolition - Waste Minimisation

Refer to the Waste Management plan submitted with the application for more details on waste management.

B8.3 – Construction and Demolition – Site Fencing and Security

Ensuring public safety. (S)

Protection of public domain. (S, Ec)

All sites are to be protected by site fencing for the duration of the works.

Where building construction is undertaken adjacent to the public domain, pedestrian and vehicular facilities are to be protected by a Hoarding in accordance with Section 126(1) of the Roads Act 1993

The site will be secured throughout the construction period.

Section C - Development Type Controls – Design Criteria for Residential Development

C1.1 Landscaping

A built form softened and complemented by landscaping. (En)

Landscaping reflects the scale and form of development. (En)

Retention of canopy trees by encouraging the use of pier and beam footings. (En)

Development results in retention of existing native vegetation. (En)

Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)

Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)

Landscaping enhances habitat and amenity value. (En, S)

Landscaping results in reduced risk of landslip. (En, Ec)

Landscaping results in low watering requirement. (En)

All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.

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.

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.

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.

The following soil depths are required in order to be counted as landscaping:

300mm for lawn

600mm for shrubs

1metre for trees

The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:

A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments, 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and 50% for all other forms of residential development.

Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.

In bushfire prone areas, species shall be appropriate to the bushfire hazard.

Landscaping shall not unreasonably obstruct driver and pedestrian visibility.

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.

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.

The existing site has established landscaping which is to be retained – namely established hedges for privacy to both the Northern and Southern boundaries. There is an existing tree along the western boundary which is to be retained. The proposal includes additional landscape elements that complement the new works including boundary screen planting to the eastern and western side boundaries, landscape enhancements at the site entry and planted out garden beds to the decking areas. The rear garden is to remain turfed.

There are no trees to be removed, there is one shrub (Hibiscus) to be removed.

The works and the site are not visible from the street, being a battle-axe block and therefore will not cause any substantial changes to the visual character of the site.

Refer to the submitted Landscape plan prepared by Reece Nicholas Design for more information.

C1.2 Safety and Security

There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following:

1. Surveillance

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 areas to maximise casual surveillance.

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.

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.

Whilst the existing dwelling has a front door which is visible upon arrival, it is not visible from the street due to the nature of the site. The proposed works include a relocated vehicular gate and new pedestrian gate arrival with integrated intercom, house number and lighting provisions which will improve safety and security for the existing dwelling.

New paving and landscape elements at the arrival point will lead visitors to the front door once they have been given access to the site.

2. Access Control

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 identifiable.

Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions.

The new proposed pedestrian vehicular gate, intercom and house number will make it clear to visitors where the entrance to the site is.

3. Territorial reinforcement

Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.

A landscape element with lighting and signage will delineate no. 16 from the adjoining No. 14 which shares the same driveway.

C1.3 View sharing

The proposed works do not affect the sharing of views.

C1.4 Solar access

The proposed works do not have any impact on solar access for neighbouring properties and the efficient design for the secondary dwelling ensures adequate access to natural light for the internal spaces.

C1.5 Visual Privacy

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)
A sense of territory and safety is provided for residents. (S)

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).

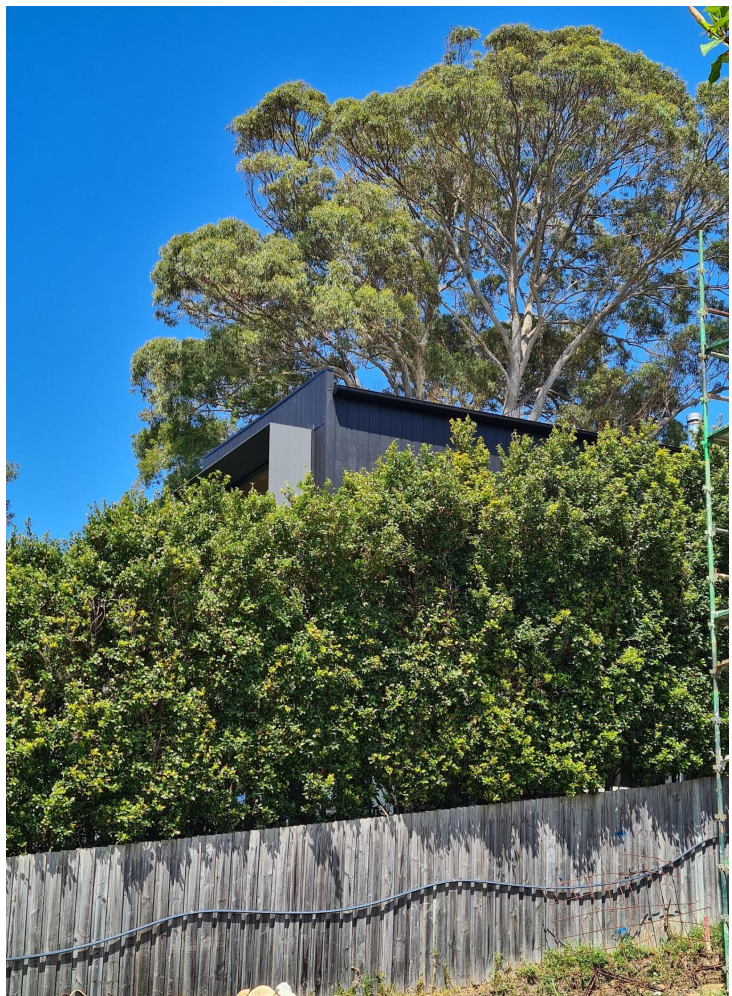
Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.

The existing living areas of the dwelling face to the rear of the site and capture northern light and views -which is typical of all the houses on the northern side of Gertrude Ave. The proposed pool and spa also face North and are located within the rear yard of the subject property. The pool and spa are located 3.41m off the Eastern boundary and although they are elevated, they are still located well below the ground floor levels of the adjoining dwellings.

The pool, spa and terraces are screened from the adjoining neighbour at no. 14 Gertrude Ave by the 1.2m high perimeter wall on the eastern side of the pool and also the existing hedge along the boundary at no. 14 which is some 5.0m-6.0m tall. This hedge towers well above the fence height – refer image below. A secondary landscape screen is proposed as part of the proposed works between the pool edge and boundary. As such the pool and spa will not be seen at all from the dwelling or property at no. 14 Gertrude Ave.

The western deck extension has perimeter garden beds with screen planting proposed at a height of 1.5m above the deck level and there is a secondary landscape screen proposed within the boundary setback. Again, the decks and terraces will not be seen from the property or dwelling at 23B Walworth Ave.

The proposed new windows for both the secondary dwelling and the cinema/office are located to the rear of the extension and do not overlook any of the private open spaces of the adjoining dwellings.



Existing 5.0m - 6.0m hedge located to the East on adjoining property no. 14

The proposed alterations to the first floor of the existing dwelling involve creating access from the bedrooms and first floor living area to the external platform for use as a balcony. The newly created balcony area is enclosed on its 2 sides by a solid wall to obstruct viewing into both neighbouring properties and has a parapet upturn across the face of the balcony to provide additional privacy for the occupants of the first floor. The resulting balcony dimensions are 10.5m long x 1.2m wide and has a modest floor area of 12.6m² which will provide restricted use of this area due to its restrained footprint.

C1.6 Acoustic Privacy

Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited. (S)

Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas (S)

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.

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).

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.

The secondary dwelling has been located on its own level to ensure acoustic privacy is maintained, and although attached to the main dwelling, it is detached from the cinema/office extension. Bedrooms are located away from the existing dwelling for privacy and noise management.

The proposed external terraces and private open space has been positioned to face north and feed directly off the main living areas of the subject property. The side boundary setbacks to these external areas are generous, to allow for adequate separation and acoustic privacy. Landscaping has been proposed to provide a secondary layer of screening.

The pool plant is located away from the boundary as shown on the plans.

Air Conditioning is not proposed for the secondary dwelling. Any A/C units required for the cinema/office extension will be located so as to not produce noise issues above the 5dBA limit.

C1.7 Private Open Space

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)

Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)

Private open space receives sufficient solar access and privacy. (En, S)

Private open space shall be provided as follows:-

a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-

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.

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%).

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.

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).

Private open space should be located to the rear of the dwelling to maximise privacy for occupants.

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.

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.

Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.

An accessible and usable area for composting facilities within the ground level private open space is required.

The proposal includes improvements to private open space for the subject dwelling including a new pool, spa and decking areas which feed directly off the main living areas of the dwelling. These new outdoor areas take advantage of northern orientation, are located at the rear of the property and have views to Newport Beach. These areas are an extension to the main living areas of the house and will provide vital outdoor living spaces for the occupants whilst being private and spacious.

The clothes drying location for the existing dwelling is unchanged and is located on the western side of the garage which has direct access from the laundry.

The proposed new secondary dwelling has living areas which open directly to the North facing garden at the Lower Ground Floor level. Again, these areas provide vital outdoor living space which is not visible from the neighbouring properties. The outdoor areas are vast in size and allow for adequate drying facilities and composting if required.

C1.12 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

The existing dwelling has 4 bins which are kept at the Southern side of the garage. These are wheeled out into the street for collection. This remains unchanged.

Waste from the Secondary dwelling will be placed into the same bins.

Refer to the submitted Waste Management Plan included in the application.

C1.23 Eaves

Housing that reflects the coastal heritage and character of Pittwater. (S)

Optimise roof forms. (S)

Appropriate solar access and shading is achieved. (En)

Dwellings shall incorporate eaves on all elevations.

Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.

The proposed secondary dwelling does not have eaves over the windows but has been approved under the BASIX assessment which does not require them.

The proposed new window/sliding door to the cinema/office extension has a 520mm fixed eave above it.

D10 Newport Locality

D10.1 Character as viewed from the public space

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built form and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum. (S)

To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.

Walls without articulation shall not have a length greater than 8 metres to any street frontage.

Any building facade to a public place must incorporate at least two of the following design features:

- i. entry feature or portico;*
- ii. awnings or other features over windows;*
- iii. verandahs, balconies or window box treatment to any first floor element;*
- iv. recessing or projecting architectural elements;*
- v. open, deep verandahs; or*
- vi. verandahs, pergolas or similar features above garage doors.*

The bulk and scale of buildings must be minimised.

Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place.

Except in the Newport Commercial centre, parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.

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.

Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.

General service facilities must be located underground.

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.

The existing dwelling complies with these controls.

D10.4 Building Colours and Materials

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments the visual character of its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment. (En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

The use of materials with low embodied energy is encouraged. (En)

New buildings are robust and durable with low maintenance requirements. (S)

In the Newport Commercial Centre, roofs of lighter colours are permitted to improve the thermal performance of the roof system. (En, Ec, S)

External colours and materials shall be dark and earthy tones as shown below:



White, light coloured, red or orange roofs and walls are not permitted:



Council may consider lighter coloured external walls (excluding white) only for residential development within Area 3 on the Landscaped Area Map, and for non-residential development in areas that are not visually prominent.

Heritage items may vary this control where heritage colours and fabrics appropriate to the building are applied.

The existing dwelling has been constructed in warm tones which comply with this control. Namely, the external fabric includes grey bricks, grey pavers, black cladding and feature stonework.

The proposed extensions are proposed to match the existing dwelling structure accordingly. These will include grey external walls, timber decking and grey pavers/floor tiles.

The property is located within Area 3 on the Landscape Area Plan and is not visible from the street.

D10.7 Front Building Line

The property is a battle axe block and the setbacks are unchanged.

10.8 Side and Rear Building Line

The minimum side and rear building line for built structures including pools and parking structures, other than driveways, fences and retaining walls, shall be in accordance with the following table:

<i>Land</i>	<i>Side & Rear Building Line Setback (metres)</i>
<i>Land zoned R2 Low Density Residential, R3 Medium Density Residential, or E4 Environmental Living</i>	<i>2.5 to at least one side; 1.0 for other side</i> <i>6.5 rear (other than where the foreshore building line applies)</i> <i>Secondary Dwelling</i> <i>2.5 to at least one side; 1.0 for other side</i> <i>6.5 rear (other than where the foreshore building line applies)</i>

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and*
- Council is satisfied that the adjoining properties will not be adversely affected, and*
- the pool or spa is not more than 1 metre above ground level (existing), and*
- that the outcomes of this clause are achieved without strict adherence to the standards, and*

- where the site constraints make strict adherence to the setback impractical, and
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.

The existing side boundary setbacks of the existing dwelling comply with these requirements, as do the proposed new alterations and additions. The proposed pool and spa edge is 3.41m from the eastern boundary.

D10.11 Building Envelope

To achieve the desired future character of the Locality. (S)

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised. (En, S)

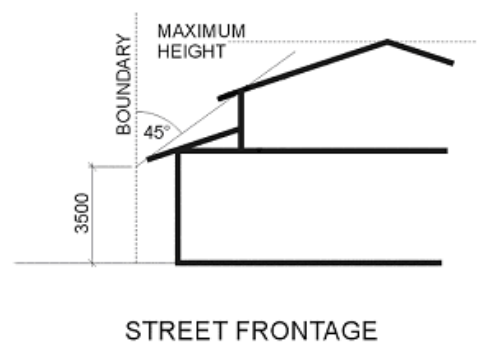
Equitable preservation of views and vistas to and/or from public/private places. (S)

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Buildings are to be sited within the following envelope:

Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height (refer to Pittwater Local Environmental Plan 2014).



The proposed alterations and additions are all single level in nature and comply with the required building envelope controls.

D10.12 Landscape Area General

Achieve the desired future character of the Locality. (S)

The bulk and scale of the built form is minimised. (En, S)

A reasonable level of amenity and solar access is provided and maintained. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

Conservation of natural vegetation and biodiversity. (En)

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)

To preserve and enhance the rural and bushland character of the area. (En, S)

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management. (En, S)

The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- 1. impervious areas less than 1 metre in width (e.g. pathways and the like);*
- 2. for single dwellings on land zoned R2 Low Density Residential or R3 Medium Density Residential, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).*

The total landscaped area on land zoned R2 Low Density Residential or R3 Medium Density Residential shall be 50% of the site area.

The proposed alterations and additions comply with this control. Refer to the submitted Landscape Calculation plan.

Site area: 1215m²
Required Landscape Area: 50% x 1215m² = 607.575m²
6% Impervious Landscape: 6% x 1215m² = 72.909m²
Minimum Soft Landscape Area: 534.66m²

Proposed Landscape area: 604.17m²

The use of porous materials and finishes is encouraged where appropriate.

The existing gravel driveway remains unchanged

Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area.

The proposed landscape area is 604.17m² (50%)

D10.14 Fences General

To achieve the desired future character of the Locality. (S)

To ensure fences compliment and conserve the visual character of the street and neighbourhood.

To define the boundaries and edges between public and private land and between areas of different function.

To contribute positively to the public domain.

An open streetscape that allows casual surveillance of the street. (S)

Fences, where provided, are suitably screened from view from a public place. (S)

Safe sight distances and clear view of the street (including to and from driveways) for motorists and pedestrians. (S)

Unhindered travel for native animals and pedestrians. (S)

To ensure heritage significance is protected and enhanced. (S)

To ensure an open view to and from the waterway is maintained. (S)

a. Front fences and side fences (within the front building setback)

Front and side fences (within the front building setback) shall:

- not exceed a maximum height of 1 metre above existing ground level,*
- be compatible with the streetscape character, and*
- not obstruct views available from the road.*

Fences are to be constructed of open, see-through, dark-coloured materials.

Landscaping is to screen the fence on the roadside. Such landscaping is to be trimmed to ensure clear view of pedestrians and vehicles travelling along the roadway, for vehicles and pedestrians exiting the site.

Original stone fences or stone fence posts shall be conserved.

b. Rear fences and side fences (to the front building line)

Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.

The existing fencing remains unchanged and complies with this control. The proposed vehicular and pedestrian gates are located within the property boundary and are not visible from the street.

D10.16 Construction, Retaining walls, terracing and undercroft areas

To achieve the desired future character of the Locality.

To protect and minimise disturbance to natural landforms.

To encourage building design to respond sensitively to natural topography.

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

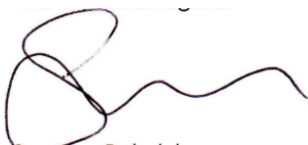
The proposed works comply with this control.

7. Conclusion

This assessment concludes that the proposed alterations and additions to the existing residential dwelling are considered to be appropriate in scale, form and design for the area and are consistent with Council's planning policies to provide life enhancing outdoor living spaces for the owners of the property.

The application should therefore be supported by Northern Beaches Council.

Thanks + kind regards



Suzanne Hart
Principal