



NORTH SYDNEY COUNCIL

Council Chambers
25 October 2023

I wish to inform you that a Meeting of the **NORTH SYDNEY LOCAL PLANNING PANEL** will be held in the Council Chambers, North Sydney at 2.00pm on Wednesday 1 November 2023.

Your attention is directed to the accompanying statement of the business proposed to be transacted at such meeting.

I would like to acknowledge the traditional owners of these lands in which we meet and to pay our respect to the ancestors, and spirits past and present.

**THERESE MANNS
GENERAL MANAGER**

BUSINESS**LPP01: 21 Cowdroy Avenue, Cammeray - DA 38/23**

Applicant: George Lewkovitz

Report of Andrew Beveridge, Assessment Officer

This development application seeks NSLPP approval for the demolition of the existing three-storey, four-bedroom, dwelling house and detached single garage on site and the construction of a new five-storey, 5-6-bedroom, dwelling house with an attached parking level.

This application is reported to North Sydney Local Planning Panel for determination because the proposed works breach the building height limit by greater than 10%, and the proposal has received more than ten (10) objecting submissions.

As the proposal involves the construction of a new dwelling with a maximum height of 10.94m that is in exceedance of the maximum permitted height limit by 2.44m (28.7%), the applicant has submitted a written request seeking a variation to the building height development standard in accordance with Clause 4.6 of NSLEP 2013. The applicant's submission has been considered with reference to the Land and Environment Court's decision in *Wehbe v Pittwater Council [2007] NSWLEC 827* in order to justify the proposed variation. The applicant's Clause 4.6 is considered to be unsatisfactory given the site circumstances and on the basis that it will have significant impacts upon the amenity of adjoining properties and the character, landscaped context, and topography of the site.

Notification of the proposal has attracted twelve (12) unique submissions, and the assessment has considered these as well as the performance of the application against Council's planning requirements.

The proposed dwelling is inconsistent with the character and scale of adjoining and nearby properties, with a built form of 4-5 storeys when viewed from the street, particularly along Cowdroy Avenue, where it will be highly visible and will present significant additional bulk and scale, exacerbated by the non-compliances in building height, setbacks, and the additional footprint of the dwelling overall with non-compliances in site coverage, landscaped area, and unbuilt-upon area. The significant additional bulk and scale, particularly above the height limit, are also likely to contribute to additional overshadowing and block existing views/outlooks that will impact upon the amenity of neighbouring properties.

The proposed excavation to accommodate the new development is also considered to be excessive, creating two floor levels below existing ground level, and requiring significant excavation that will likely impact upon nearby significant trees, and the regrading/excavation within the front setback to the street that will require the loss of the significant natural sandstone outcrops.

The proposed development would have an unacceptable impact upon the landscaped context of the site that is located within a C4 Environment Living Zone, and a bushland buffer zone, including the loss of landscaped areas, and impacts arising from excavation upon nearby trees.

Having regard for the potential impacts upon the amenity of adjoining properties and the surrounding neighbourhood, the development application is considered to be unsatisfactory and is recommended for **refusal**.

Recommending

PURSUANT TO SECTION 4.16 OF *ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979* (AS AMENDED)

THAT the North Sydney Local Planning Panel, exercising the functions of Council, assume the concurrence of the Secretary of The Department of Planning, Industry, and Environment and invoke the provisions of Clause 4.6 in *NSLEP 2013* with regards to the non-compliance with Clause 4.3 and **refuse consent** to Development Application No. 38/23 for the demolition and construction of a single dwelling, on land at 21 Cowdroy Avenue, Cammeray, for the following reasons: -

1. The proposed development is inappropriate to its context and is incompatible with the built form and landscape character of the Cammeray Neighbourhood and the Cowdroy Avenue streetscape;

The proposed development is not appropriate to its context or compatible with the character of the Cammeray Neighbourhood, and Cowdroy Avenue by virtue of its excessive height, bulk and scale, its excessive building footprint and inadequate area for deep soil tree planting, its incongruous built form, and its failure to respond to the landscaped and topographical context of the site and adjoining properties.

Particulars:

- a) The application is considered to be unacceptable pursuant to the provisions of s. 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* in that the proposed development does not satisfy the aims of *North Sydney Local Environmental Plan 2013 (NSLEP 2013)* as listed in Clauses 1.2 (2)(a), (2)(c)(i), (2)(b)(i), (2)(e)(i) in Part 1 of *NSLEP 2013*, and the Objectives of the C4 Environment Living zone, to ensure developments are appropriate and compatible to the context, and character of an area and that development does not adversely affect the amenity of neighbouring properties, or the ecological and aesthetic values of the area.
- b) The application is considered to be unacceptable pursuant to the provisions of s. 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* in that the proposed development does not comply with the maximum permitted height of buildings pursuant to clause 4.3 of the *North Sydney Local Environmental Plan 2013 (NSLEP 2013)*: The portion of the building that does not comply with the height control results in a loss of amenity to surrounding developments including unnecessary view loss and overshadowing. The height and scale of the development exceeds that of the surrounding development and the written request to justify the contravention has not adequately demonstrated that compliance with the development standard is unreasonable or unnecessary, or that

there are sufficient environmental planning grounds to justify the variation.

c) The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* in that the proposed development fails to satisfy the development standard as listed in Clause 6.10 in Part 4 of *NSLEP 2013* to ensure that earthworks will not have a detrimental impact upon the environmental functions and processes, and natural vegetation of the land.

d) The application is considered to be unacceptable pursuant to the provisions of s. 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* in that the proposed development would have an adverse visual and amenity impact upon surrounding properties, the streetscape presentation of the site, and results in an over-scaled development that is unsympathetic to existing development and character within the street and surrounding area.

The proposed development therefore fails to satisfy the objectives and provisions within Section 1 (Residential Development) in Part B of the North Sydney Development Control Plan 2013 (NSDCP 2013). Specifically, Objectives O5, O6, O7, and O9 of Section 1.1.1 (General Objectives); Objective O1 and Provision P1 of Section 1.4.1 (Context); Objectives O1, O2, O3, and O4, and Provisions P2, P3, P4, and P5, of Section 1.4.6 (Setbacks); Objective O1 and Provision P1 of Section 1.4.7 (Form, massing & scale); Objective O1 of Section 1.4.8 (Built form character); Objective O4 and Provisions P1, P3, and P5 of Section 1.4.14 (Front Fences); Objectives O3 and O4 and Provisions P1, P10, P11 and P14 of Section 1.5.4 (Vehicular access and parking); and Objectives O1, O2, O3 and O4, and Provision P1 of Section 1.5.5 (Site coverage).

e) The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* in that the proposed development would have an unacceptable impact upon the landscaped context of the site that is located within a bushland buffer zone including the loss of natural sandstone outcrops, insufficient landscaped areas, and significant impacts arising from excavation upon adjoining site trees.

The proposed development therefore fails to satisfy the objectives and provisions within Section 1 (Residential Development), Section 15 (Bushland), and Section 16 (Tree and Vegetation Management) in Part B of the North Sydney Development Control Plan 2013 (NSDCP 2013). Specifically, Objective O5 of Section 1.1.1 (General Objectives); Objectives O1, O2, O3 and O4 and Provisions P1 and P2 of Section 1.3.1 (Topography); Objective O1 and Provision P1 of Section 1.3.2 (Properties in proximity to bushland); Objective O1 and Provisions P1, P3, P4, P8, and P10 of Section 1.5.6 (Landscaped Area); Objectives O1, O3, O4, and Provisions P1 P2, P3, P5, P6 and P7 of Section 1.5.7

(Landscaping); Objectives O1 and O2, and Provisions P2, P3, P5, and P6 of Section 1.5.8 (Front Gardens); Objective O5 of Section 15.1.1 (General Objectives); Objectives O1 and O2 of Section 15.2.1 (Siting and design); Objective O1 and Provision P3 of Section 15.3.3 (Indigenous Vegetation); and the Objectives O2, O3, O4 and O6 of Section 16.1.1 (General Objectives).

- f) The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* in that the proposed the proposed development does not satisfy the Area Character Statement for the Cammeray Planning Area in Section 4 in Part C of NSDCP 2013 – The proposal will adversely and unreasonably impact upon the built form character of the Greens Drive neighbourhood and its context within the surrounding area and is contrary to the objective of development within the planning area that “*reflects and reinforces the existing distinctive built form/landscape areas and distribution of accommodation types*”.
 - g) The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* in that the proposed development does not satisfy the Area Character Statement for the Cammeray Neighbourhood in Section 4.2 in Part C of NSDCP 2013, specifically section 4.2.1 (Significant Elements) Provision P4; and section 4.2.2 (Desired Built Form – Form, scale and massing), provision P5.
 - h) The application is considered to be unacceptable pursuant to the provisions of s. 4.15(1)(ci) of the *Environmental Planning and Assessment Act 1979* in that the proposed development is an overdevelopment of the site which is not suitable for development of the proposed form.
 - i) The application is considered to be unacceptable pursuant to the provisions of s. 4.15(1)(a)(e) of the *Environmental Planning and Assessment Act 1979* in that the proposed development will create undesirable precedent and the building proposes significant variations to numerical and merit-based controls and is therefore not in the public interest.
- 2. Unnecessary overshadowing to and view loss from neighbouring properties caused by an excessive bulk and scale;**
The proposed development would result in unnecessary overshadowing and view loss for neighbours.
- Particulars:**
- a) The application is considered to be unacceptable pursuant to the provisions of s. 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* in that the proposed development, although complying with the minimum 3 hours of solar access to neighbours requirement, still results in unnecessary overshadowing to adjoining neighbours by way of the proposal’s excessive scale, bulk and height and is contrary to the Aims of NSLEP 2013, specifically (2)(c)(i);

(Residential amenity); the Objectives of the C4 Environment Living zone, Objectives O5, O6 and O7 in Part B, section 1.1.1 in NSDCP 2013, and Objectives O2 and O4 and Provision P4 in Part B, section 1.4.6 in NSDCP 2013.

- b) The application is considered to be unacceptable pursuant to the provisions of s. 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* in that the proposed development, although retaining the majority of the views and outlooks of adjoining sites with only minor view impacts, a compliant scheme would minimise the view impacts and the proposal is therefore contrary to the Aims of NSLEP 2013, specifically (2)(c)(i); (Residential amenity); the Objectives of the C4 Environment Living zone, specifically dot points 3 and 4; Objective O5 in Part B, section 1.1.1 in NSDCP 2013, and Objective O2 and Provisions P2 and P3 in Part B, section 1.3.6 (Views) in NSDCP 2013.

3. Insufficient and inadequate plans and supporting information;

The supporting information is inadequate.

Particulars:

- a) The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(iv) of the *Environmental Planning and Assessment Act 1979* in that the proposed development fails to meet the requirements outlined in Clauses 23 and 36 of the *Environmental Planning and Assessment Regulation 2021*. This includes the necessary additional information to properly consider the development application with regards to the inconsistency between documentation. The Statement of Environmental Effects suggests that the existing driveway layback/crossover is to be retained while the submitted plans indicate a new crossover within the structural root zone of the existing street tree (*Lagerstroemia indica*), which has the potential for additional impacts.

- b) The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(iv) of the *Environmental Planning and Assessment Act 1979* in that the proposed development fails to meet the requirements outlined in Clauses 23 and 36 of the *Environmental Planning and Assessment Regulation 2021*. The submitted Shadow Diagrams are of limited utility in assessing the overall overshadowing upon adjoining properties, including the shadows cast in relation to the openings and elevations of adjoining properties.

4. The amended development is not in the public interest given the above likely impacts.

Particulars:

- a) The application is considered unacceptable pursuant to the provisions of s.4.15(1)(d) & (e) of the *Environmental Planning and Assessment Act 1979* in that the above matters were raised in the twelve (12) submissions from nearby residents. The proposal is, therefore, not considered to be in the public interest or suitable for the site.

LPP02: 7 Ryries Parade, Cremorne - DA 81/23

Applicant: David William Lai Kwon

Report of Thomas Holman, Assessment Officer

This development application seeks consent for the demolition of an existing dwelling and structures to be replaced with a new two storey dwelling, vehicular crossing, and landscaping at 7 Ryries Parade, Cremorne.

The application is reported to the North Sydney Local Planning Panel for determination because development application received more than 10 submissions by way of objection.

The dwelling is deemed to be a low scale residential development compliant with the maximum height of building as stipulated in Cl. 4.3 of *NSLEP 2013* and the development complies with setback controls within s1.4.6 of *NSDCP 2013* and also maximum site coverage stipulated in s1.5.5 of *NSDCP 2013*. The form, massing and scale of the dwelling is consistent with surroundings buildings and is a low density residential development commensurate with the desired future character for the Benelong and Northern Foreshore Neighbourhood.

The dwelling complements the built form character of the locality designed with appropriate setbacks including a matching front setback to adjoining properties and the dwelling has a low pitched roof ensuring key characteristics of the site and surrounds are continued and the desired built form for the Benelong and Northern Foreshore Neighbourhood is maintained satisfying Objective O1 and Provision P2 in s1.4.8 of *NSDCP 2013*.

The new dwelling is designed to maximise the sharing of views for adjoining properties compliant with the objectives and provisions in s1.3.6 of *NSDCP 2013*. The replacement dwelling is considered a reasonable development compliant with the maximum height of building as stipulated in Cl. 4.3 of *NSLEP 2013* and the development complies with setback controls within s1.4.6 of *NSDCP 2013* and also maximum site coverage stipulated in s1.5.5 of *NSDCP 2013* indicative of a development which is reasonable ensuring access to views for adjoining properties are maintained.

The development is generally sited on a similar footprint to the existing dwelling maintaining much of the site and adjoining site's vegetation including tree canopy. The tree retention including additional tree planting is sought ensuring an appropriate provision of landscaping for the site. A condition of consent is however recommended requiring amendments to the driveway removing 6m² of the hard stand/concrete driveway to be replaced with landscaping inclusive of grasses and/or groundcovers to ensure the development complies with the minimum 40% landscaped area stipulated in s1.5.6 of *NSDCP 2013*.

A total of eleven (11) unique submissions were received raising objections regarding view loss, a front setback non-compliance, potential site coverage exceedance, impact to existing tree canopy and additional overshadowing and loss of privacy. The amended plans sought to reduce the potential impact of the development including providing a dwelling with a similar alignment with the primary facades of adjoining properties and a view loss assessment was provided considering the potential impact to affected properties.

Following this assessment, the development that application is considered to be reasonable in the circumstances and is recommended for **approval** subject to conditions.

Recommending

PURSUANT TO SECTION 4.16 OF *ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979* (AS AMENDED)

THAT the North Sydney Local Planning Panel exercising the functions of Council as the consent authority grant consent to Development Application No. 81/23 for demolition of existing dwellings and construction of a new dwelling including landscaping to land at 7 Ryries Parade subject to the attached standard conditions.

LPP03: 5-7 Lower Wycombe Road, Neutral Bay - DA 137/23

Applicant: B Brown – Ingham Planning Pty Ltd

Report of David Hoy, Team Leader Assessments

The Applicant seeks development consent from the North Sydney Local Planning Panel (NSLPP) for the demolition of existing residential flat building and construction of new 4-storey residential flat building containing two (2) basement levels and six (6) x 3-bedroom apartments, installation of a new in-ground swimming pool within the foreshore area, and ancillary and landscaping works on land identified as No. 5-7 Lower Wycombe Road, Neutral Bay. The application is an amended proposal.

The application is required to be reported to the NSLPP for determination, as directed by the Minister of Planning, as the development application has attracted 10 or more unique submissions by way of objection; involves a departure from a development standard that is greater than 10%; and is considered sensitive development, to which State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development applies. Council's notifications of the initial design of the proposal attracted a total of 74 submissions raising concerns and issues associated with existing use rights; extent of excavation and vibration impacts; bulk, scale, massing, and density; excessive height; reduced setbacks; overdevelopment; tree removal; traffic impacts (due to car lift); visual privacy and amenity impacts; overshadowing impacts; construction management and dust; landscaping works; and spa placement.

An amended scheme was provided to Council and consequently, re-notified in accordance with Council's Community Participation Plan. The re-notification of the amended plans attracted a total of eight (8) further submissions. A similar set of concerns and issues were expressed in these submissions.

The development application was assessed against relevant State Planning Policies, as well as Council policies including the North Sydney Local Environmental Plan 2013 (NSLEP 2013) and North Sydney Development Control Plan 2013 (NSDCP 2013). The proposed development is a reasonable and balanced planning and design outcome that is appropriate to the setting, constraints and context of the site and the applicable environmental planning controls. The proposed development demonstrates general compliance with relevant provisions, objectives and controls and will facilitate a contemporary and responsive built form that reflects a similar scale, massing, and density as the existing residential flat building onsite, whilst not generating any adverse

and substantial impacts upon the environment, neighbouring properties and the community.

The application involves a non-compliance to the maximum height of buildings development standard (8.5m) under Clause 4.3 of NSLEP 2013 as the proposal features a maximum building height of 13.7m (for the lift overrun) above natural ground level. This represents a departure of 5.2m or 61.2% from the development standard. It is noted that the existing building comprises a maximum height of 11.74m, which fails to comply with the provision by 3.24m (38.1%). The Applicant submitted a written request pursuant to Clause 4.6 of the NSLEP 2013. The request is supported given that sufficient planning grounds have been provided and the included information has demonstrated that compliance with this development standard is unreasonable or unnecessary in the circumstances.

The assessment of the proposed development considered the concerns raised in the submissions and its performance against Council's planning requirements. Following this assessment and having regard to the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended), the application is recommended for approval given the merits demonstrated by proposal against critical objectives, provisions and controls under the SEPP 65 and Council policies.

LPP04: 3 Commodore Crescent, McMahons Point - DA 178/23

Applicant: Geoffrey Vere Reed

Report of Rachel Wu, Graduate Assessment Officer

This development application seeks approval for alterations and additions to a local heritage item and is reported to North Sydney Local Planning Panel for determination as a sensitive development involving the partial demolition of a heritage item. Notification of the proposal has attracted nil (0) submissions.

The proposal encompasses partial demolition (including existing unauthorised works), addition of a garden pavilion and reconstruction of a double height southern verandah. The existing timber deck at the rear is proposed for reconstruction within the existing footprint with higher glass balustrades.

The existing subject site contains a detached sandstone dwelling with a first-floor verandah on the northeastern corner of the dwelling; a ground floor verandah located on the south of the dwelling; a timber pavilion, swimming pool and timber deck at the rear of the dwelling (west).

The site features a fall from the front to the rear boundary of approximately 2.18m and a further fall of approximately 6m directly west of the site to Waverton Park land and existing rock outcrops to the southwest.

The subject site is located within the Sydney Harbour Foreshores and Waterways Area and Sydney Harbour Catchment. The subject site is visible from public areas including Berry's Bay Lookout, Will Aston Lookout and Larkin Street.

The dwelling is located in an R2 Low Density Residential zone and is identified in the North Sydney Local Environment Plan 2013 as a local heritage item 'Monte Cristo' (I0461). The dwelling is significant as *"important early house and only intact surviving residence of the Blue family. Fine house of its period in an important position overlooking Berry's Bay. One of the earliest houses surviving in the Council area."* (State Heritage Inventory 2023).

Description of the local heritage item within the State Heritage Inventory is as follows:

The original house is a two-storey stone house with hipped gable corrugated-iron roof, four rooms per storey and verandahs to both levels on the waterfront side. This building is designed in the Victorian Georgian style. The house was modified in the 1970s, removing much original detailing. All plaster was removed from internal walls, exposing the sandstone. During the 1980s detailing was reinstated, including Georgian-style windows.* (State Heritage Inventory 2023).

Council's Conservation Planner has considered the significance of the dwelling together with the impact of some recent unauthorised works, predominantly internal. Conditions are recommended in support of the proposal whilst further consideration is given to unauthorised works to removal ceilings and other work. The assessment has considered these concerns as well as the performance of the application against Council's planning requirements.

Following this assessment, the development application is considered to be reasonable in the circumstances and is recommended for **partial approval** subject to conditions; works to the rear deck and glass enclosure to the new pavilion recommended for deletion.

Recommending

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel exercising the functions of Council as the consent authority grant consent to Development Application No. 178/23 for alterations and additions to a detached dwelling subject to the following site-specific and attached standard conditions:

Exclusion of Work Already Undertaken

A5 No consent is granted under this application for any works, including demolition work carried without prior development consent. The following work shown on the DA drawings are expressly excluded from this consent:

- a) Removal of living room ceilings, cornices, skirting boards within the dwelling;
- b) Installation of the mezzanine level in place of the former Bedroom 3;
- c) Demolition and installation of new internal door opening to the eastern end of the master-bedroom; and
- d) Installation of any skylight or roof features/elements not previously approved.

The Certifying Authority must ensure that the Construction Certificate Drawings are amended to exclude the above work.

(Reason: To confirm the scope of works approved by this consent and prevent further loss of fabric and significance of an important Heritage Item)

Southern Verandah Works Not Supported

A6 The proposed double storey verandah and works to the southern elevation are to be deleted from the plans and the existing ground floor verandah retained as a single storey element.

(Reason: The existing ground floor verandah supports the earlier documentary evidence presented in the summary of research undertaken by Clive Lucas Stapleton circa 1980s).

Detail of the Lift and Verandah Enclosure

A7 The proposed lift is to be housed as an independent element:

- within the dimensions and form of the existing verandah so that its overall appearance and expression as a lightweight and open form is retained,
- The north-eastern elevation to the lift is to retain the vertical timber cladding detailing together with a visual break between the upper verandah level to retain a visual gap which reflects first floor level - solid timber wall on the NE side of the verandah is to be avoided,
- retain the multi-paned windows in situ noting this element will function as a blind window - the central verandah bay is to be retained as open without a window above the balustrade level.
- Maintain a 50mm clearance on all sides of the lift structure.

Details of the lift design are to be prepared at a 1:50 scale and provided to Council for approval of the Manager Development Service prior to issue of the relevant Construction Certificate. The Certifying Authority must be satisfied that the CC drawings comply with the requirements of this condition.

(Reason: To confirm the scope of works approved by this consent and prevent further loss of fabric and significance of an important Heritage Item)

Glazed Enclosure to Pavilion

A8 That the proposed glazed enclosure of the new pavilion be deleted from the plans to mitigate the impact from glare created by the use of glass on the setting and views of the subject site.

(Reason: To protect the significance of an important Heritage Item and the Heritage Item as viewed from public places)

Statement of Significance and Ongoing Heritage Conservation Strategy

A9 That the statement of significance relating to the subject heritage item be updated and that an overall heritage strategy for the site be devised incorporating the historical findings and works carried out to date to assist in the ongoing management of the site as well as establish an agreed set of exemptions to support its ongoing conservation.

(Reason: To ensure the ongoing protection and management of the heritage significance of the site.)

Work to Western Deck to Be Deleted

A10 No consent is granted for any works to the western deck including the new glass balustrade with metal uprights and the new timber deck.

(Reason: To protect the significance of an important Heritage Item and the Heritage Item as viewed from public places)

Pedestrian and Vehicular Access

B2 No pedestrian or vehicular access for the purpose of construction is permissible through or across land under Council ownership (Waverton Park, No.7A, 7B, 2 – 4 and 9A Commodore Crescent) under any circumstances.

Compliance with this condition is to be included in the Construction Management Program and associated plans within Condition B1 for the approval of Council's Traffic and Transport Engineers required within Condition B1.

(Reason: To ensure development does not adversely impact on C2 Environmental Conservation zone and RE1 Public Recreation zone in accordance with Part B Section 15 Bushland within NSDCP 2013)