



Minto Planning Services

Town Planning Consultants

**STATEMENT OF
ENVIRONMENTAL EFFECTS**

**PROPOSED DWELLING ALTERATIONS &
ADDITIONS**

271 WHALE BEACH ROAD, WHALE BEACH

**On behalf of
Simon Tripp**

April 2021

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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Dwelling Alterations & Additions

271 Whale Beach Road, Whale Beach

Prepared under instructions from

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1. INTRODUCTION

This Statement of Environmental Effects accompanies a Development Application lodged on behalf of Simon Tripp. The proposal seeks approval for the construction of dwelling alterations & additions to the rear of the existing dwelling located at 271 Whale Beach Road, Whale Beach.

By way of background, it is advised that Council has recently approved DA 2019/534 on the 10th October 2019. That consent approved the *Construction of a swimming pool and inclinor*. It is advised that the works approved by that consent have not as yet been physically commenced.

In consideration of this application reference has been made to:

- *Environmental Planning & Assessment Act 1979, as amended.*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control Plan*

Additional information to support this application includes:

- Identification Survey Report prepared by True North Surveys, Ref. No. 17021D and dated 6/4/21.
- Detailed Survey Plan prepared by True North Surveys, Ref. No. 1702, Revision 1 and dated 6/4/21.
- Architectural Plans prepared by Drafting Help and identified as Issue A.
- Shadow Diagrams prepared by Drafting Help, Project No. N271W and dated 13/3/21.
- BASIX Certificate No. A409808 and dated 17/3/21.
- Geotechnical Report prepared by Ascent Geotechnical Consulting, Ref. No. AG 21079 and dated 17/3/21.
- Stormwater Management Plans prepared by Rafefetos Zanuttini, Job No. 84970PC, Issue A and dated 19/3/21.
- Cost of Works Schedule prepared by DMC Building Group P/L and dated 15/3/21.
- Waste Management Plans prepared by DMC Building Group P/L.

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

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

2. THE SITE

The subject site currently comprises of a single allotment of land identified as Lot 179 in DP 15376 and which is known as 271 Whale Beach Road, Whale Beach.

The subject site is a generally rectangular shaped allotment having a splayed front boundary that adjoins Whale Beach Road.

The subject site has a maximum width of 15.217m at its southern rear boundary and which adjoins Whale Beach and a maximum depth of approximately 77.8m along its eastern side boundary. The site has an area of 1,078m².



Site Location Map

The site is a steeply sloping allotment having fall from the front north eastern corner (RL 36.13) to the rear south western corner of the site (RL 9) which adjoins Whale Beach.

Currently erected upon the site is a three storey brick dwelling with a pitched tiled roof together with an enclosed garage that is attached to the front of the dwelling.

A large deck structure is located to the rear of the existing dwelling and is located at the ground floor level, adjacent to the rumpus room and Bedroom 2. The deck is approximately 40m² in size and consistent with the topography of the land has a maximum height of 975mm above the existing ground level. The approved swimming pool is to be constructed as an extension to the existing deck.

The existing dwelling is not located within a Heritage Conservation Area and is not identified as a heritage item.

Existing vegetation of note on the property is located forward of the existing dwelling. There is no significant vegetation in the immediate vicinity of the proposed works.



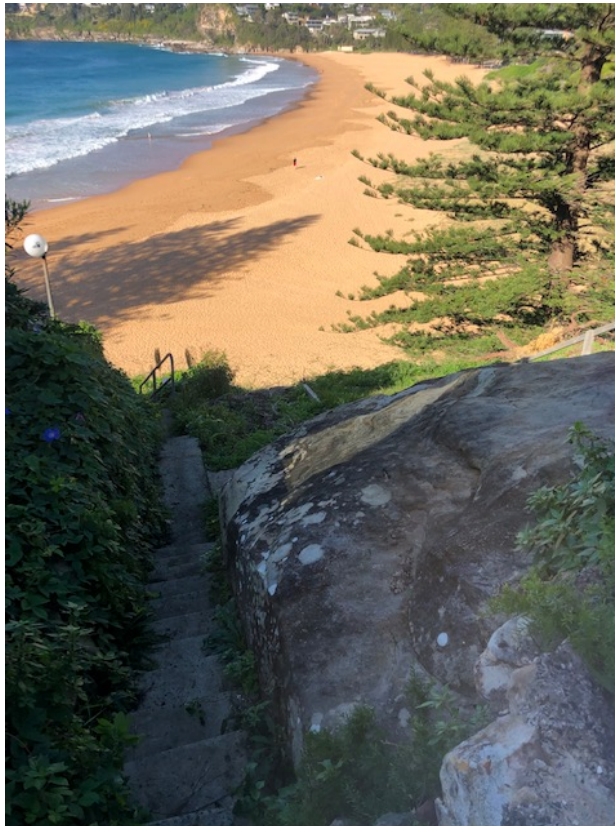
The subject property as viewed from Whale Beach Road



The Existing Deck Structure



The subject property looking from the beach towards the dwelling



The view from the landing adjacent to the existing deck looking towards the beach



An aerial view of the subject site

3. THE SURROUNDING ENVIRONMENT

The subject property is located in a residential environment comprising mainly of two and three storey dwellings. The dwellings in the vicinity of the subject site maximise their views over Whale Beach as a result of the steep topography of the land.

Development adjoining the subject site comprises of a one storey clad dwelling with a tiled and metal roof to the west and a two storey clad dwelling with a metal roof to the east of the site.



An aerial view of the subject site and surrounding locality

Whale beach is located directly to the rear of the site and can be accessed via a pathway and stairs at the rear of the property.

There are several properties located within close proximity to the subject site that support similar development to the subject site including swimming pool and inclinators including the property at 267 Whale Beach Road.

The subject site does not comprise of any heritage items within the immediate vicinity of the site and is not identified as a Heritage Conservation Area.

4. THE PROPOSAL

This application seeks Council consent for the construction of dwelling alterations and additions to the rear of the existing dwelling house.

The proposed dwelling alterations and additions are to comprise:

Ground floor level

The proposed ground floor works comprise:

- Conversion of existing Bedroom 3 to an ensuite and walk-in-robe.
- Provision of a new window in the eastern elevation to the proposed ensuite.
- The extension of Bedroom 2 in a southerly direction over the existing patio area.
- Provision of a new window in the eastern elevation of proposed Bedroom 2.

First Floor Level

The proposed first floor works comprise:

- The increase in width (1500mm) of the existing first floor balcony from 2290mm to 3790mm.
- The construction of new privacy screen structures to the eastern and western ends of the proposed first floor balcony.
- The construction of a proposed Vergola Roof over the first floor balcony.

There are no other works proposed by this application.

The development indices for the proposed development are as follows;

| | |
|-----------------------------------|-----------------------------------|
| Site Area: | 1,078m² |
| Proposed Site Coverage: | 537m² or 49.81% |
| Proposed Soft Landscaping: | 541m² or 50.19% |

5. ZONING AND DEVELOPMENT CONTROLS

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

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

5.1 Planning for Bushfire Protection

The subject site is not identified as comprising of bushfire prone land.

Therefore, the provisions of Planning for Bushfire Protection do not apply to the subject application.

5.2 Pittwater Local Environmental plan 2014

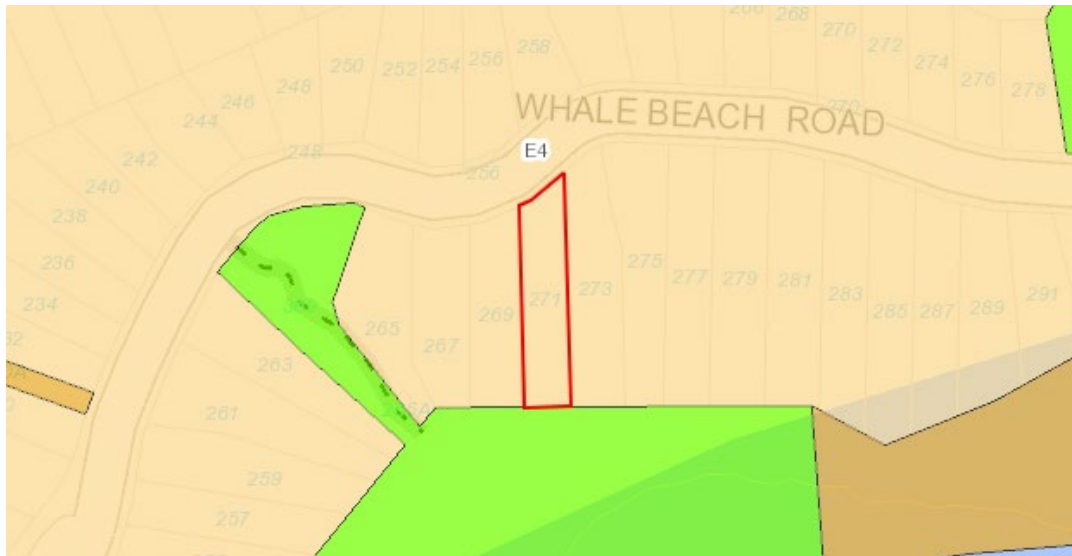
The subject land is zoned E4 - Environmental Living under the provisions of the Pittwater Local Environmental Plan 2014.

The objectives for development within the E4 zone are:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

Under the E4 - Environmental Living zone a range of uses including that of a *dwelling house* is permissible with the consent of the Council.

The proposal which seeks approval for the carrying out of alterations and additions to the existing dwelling house upon the site and is considered to be consistent with the above objectives and is development permissible with the consent of the Council.



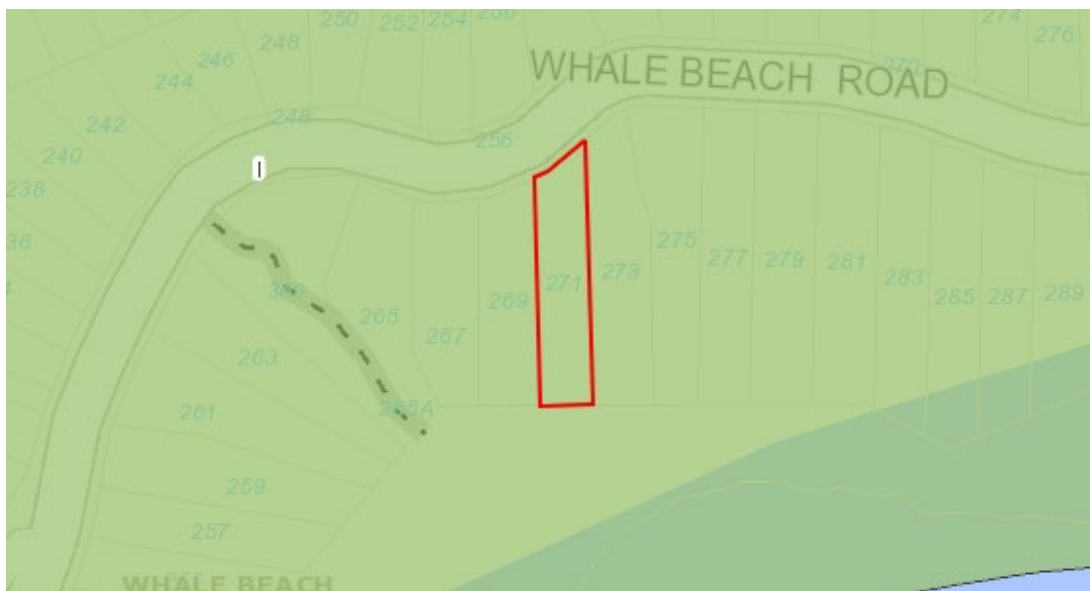
Extract from Council Zoning Map

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

Clause 4.3 - Height of Buildings

The subject site is located within Building Height Area “J2” and is therefore subject to a maximum building height control of 8.5m.

The proposed dwelling alterations and additions will have a maximum height of approximately 6.4m and which complies with this requirement.



Extract of Council Height of Buildings Map

Clause 4.4 - Floor Space Ratio

There is no Floor Space Ratio control applicable to the subject site under Council's LEP.

Clause 5.10 - Heritage Conservation

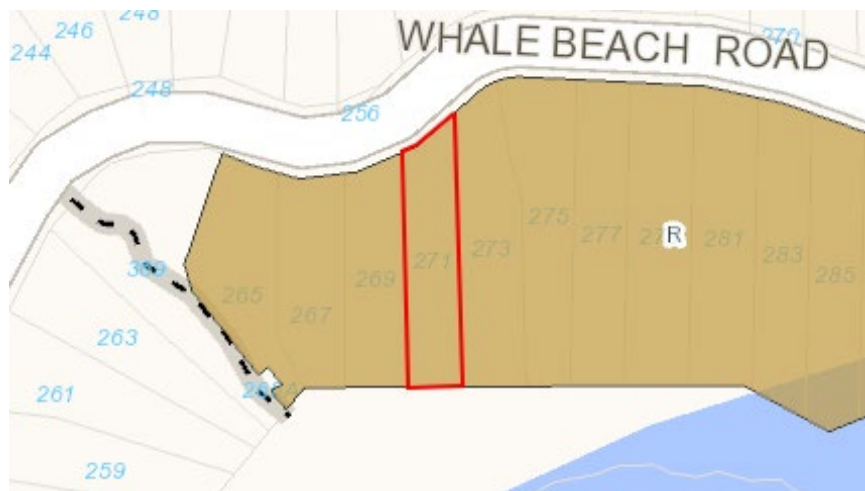
The subject site is not identified as a heritage item and is not located within a Heritage Conservation Area. On this basis the proposal is considered to satisfy the requirements of Clause 5.10 of the LEP.



Extract from Council Heritage Map

Clause 7.5 - Coastal Risk Planning

The subject site is identified within an area of bluff/cliff instability. The Geotechnical Inspection Report prepared by Ascent Geotechnical Consulting and accompanying this application details that the proposed dwelling alterations and additions do not pose any risk to both property and life, in relation to all identifiable coastline hazards.



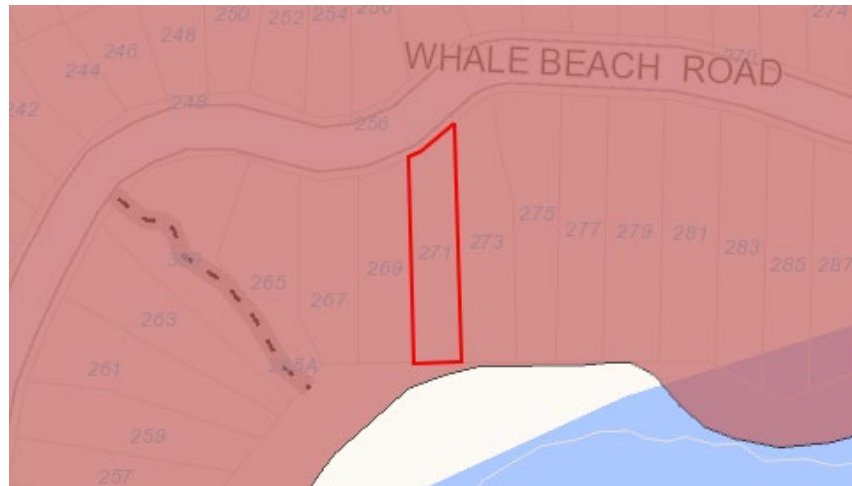
Extract from Council Coastal Risk Planning

Clause 7.7 - Geotechnical Hazards

The subject site is located within the Geotechnical Hazard H1 category.

A Geotechnical Inspection Report prepared by Ascent Geotechnical Consulting has been prepared and accompanies this application.

Based upon the findings of that report the proposal is considered to satisfy the requirements of this Clause of Council's LEP.



Extract from Council Geotechnical Hazard Map

Clause 7.8 - Limited Development on Foreshore Area

The proposed dwelling alterations and additions are proposed to be located behind the foreshore building line and therefore comply with Clause 7.8 of the Pittwater LEP.



Extract from Council Foreshore Building Line Map

Summary

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

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

5.3 Pittwater 21 Development Control Plan

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

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

Section B - General Controls

Section B3 - Hazard Controls

A Geotechnical Investigation Report has been prepared in support of the proposal by Ascent Geotechnical Consulting and their report forms part of the information accompanying this application. That report certifies that:

No significant geotechnical hazards were identified above, beside or below the subject site. The slope across the subject site has an average gradient of ~35 degrees. The soil profile is comprised of sandy top soils and sandy clays overlying weathered bedrock, with deeper marine sand profiles located at the southernmost portion of the block, confirmed by ground testing. The likelihood of the slope failing is assessed as 'UNLIKELY', the consequences of such a failure are assessed as 'MINOR'. The risk to property is 'LOW'. The existing conditions and proposed development are considered to constitute an 'ACCEPTABLE' risk to life and a 'LOW' risk to property provided that the recommendations outlined in Section 3.6 are adhered to.

We would consider the existing buttressed brick retaining wall located adjacent to the north western corner of the block to constitute a moderate risk of collapse. Given its location, and the probability that the area be occupied at the time of potential collapse, we would recommend that temporary support be installed immediately to prevent collapse. This may be in the form of additional buttresses or bracing. Furthermore, we would recommend that the wall, including its returns, and its buttressed supports, be demolished in the short term (1 - 18 months), and an adequately designed structural retaining solution be installed.

On the basis of this information the proposal is considered to satisfy this section of Council's DCP.

Section C - Development Type Controls

Section C1 - Design Criteria for Residential Development

Section C1.1 - Landscaping

It is considered that the proposal provides a landscape outcome in accordance with the requirements this section of Council's DCP. It is considered that the existing and proposed landscaping together with the proposed privacy screens will protect the privacy of the adjoining neighbours and improve the aesthetic appearance of the property when viewed from Whale Beach.

No vegetation will be removed during the construction of the proposed works.

Section C1.2 - Safety & Security

The occupants of the development will be provided with a secure living environment.

Section C1.3 - View Sharing

It is not considered that the proposed dwelling alterations and additions will result in a reduction in the existing views currently enjoyed by the adjoining properties.

Section C1.5 - Visual Privacy

The development has been designed having regard to the visual and acoustic privacy of both the future residents of the development together with the adjoining property owners. This has primarily been achieved through the maintaining of the existing setbacks to the side and rear property boundaries.

The proposal also includes the provision of privacy screens to either end of the proposed first floor balcony.

The proposal is therefore considered to be acceptable in relation to visual privacy.

Section C1.6 - Acoustic Privacy

It is not considered that the proposal will result in any unreasonable acoustic impacts upon adjoining properties.

Section C1.7 - Private Open Space

The existing deck and proposed swimming pool are contributory to the private open space requirement within the rear setback and complies with the numerical standards of the DCP.

Section C1.13 - Pollution Control

Subject to compliance with the accompanying Erosion & Sediment Control Plan that the erection of the proposed dwelling alterations and additions will not result in any erosion or sedimentation control issues.

Part D12 -Palm Beach Locality

Section D12.1 - Character as Viewed from a Public Place

The proposed structures are not considered to be visually dominant when viewed from a public place (Whale Beach) noting that they represent only minor additions to the existing dwelling house.

The proposal is considered to satisfy the requirements of this section of the DCP.

Section D12.2 - Scenic Protection

The proposal will not unreasonably impact the visual amenity of Whale Beach or other scenic features of the Palm Beach locality.

Section D11.7 - Side and Rear Building Line

All land zoned E4 - Environmental Living is subject to a side setback of 2.5m to one side and 1m for the other side with a 6.5m rear setback.

The proposed dwelling alterations and additions seek to maintain the existing dwelling setbacks (1416mm and 1494mm) from the western and eastern side boundaries.

The proposed setbacks are considered to satisfy this section of Council's DCP.

Section D11.12 - Landscaped Area - Environmentally Sensitive Land

The minimum required landscaped area on E4 - Environmental Living land is 60% as prescribed in the Pittwater DCP.

The proposal provides for 50.19% of the total site area to be used as landscaped area. The proposal seeks a variation to the numerical standards of this clause. The DCP states that 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).

The proposal and dwelling as a whole will remain consistent with many dwellings within the nearby area. Vegetation will be retained and enhanced. Overall, the bulk and scale of the built form will remain consistent with the locality which is characterised by large and expansive, two (2) and three (3) store dwellings.

A variation to this control is consistent with the landscaped area granted for 267 Whale Beach Road (DA 165/17) which proposed a landscaped area of 45%.

It is not considered that the proposal will result in any unreasonable impacts upon the character of the surrounding area and satisfies the objectives of the relevant controls.

The proposal is considered to satisfy the requirements of this section of the DCP.

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

Conclusion

The proposal is considered to achieve appropriate compliance with the aims and objectives together with the applicable prescriptive requirements of the Pittwater Development Control Plan and is therefore worthy of the support of the Council.

6. SECTION 4.15(1) ASSESSMENT

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

The subject site is zoned E4 - Environmental Living under the provisions of the Pittwater Local Environmental Plan 2014. The construction of dwelling alterations and additions to the existing dwelling house are permissible with the consent of Council. The proposal has been assessed against the objectives and provisions of both the Pittwater LEP 2014 and the Pittwater Development Control Plan as detailed within this report. The proposal was found to generally satisfy the requirements of both policy documents and is worthy of the support of the Council.

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

It is not considered that the proposed dwelling alterations and additions result in any unreasonable detrimental impacts upon the amenity of the adjoining properties or upon the character of the surrounding area.

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

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

The subject site is zoned E4 - Environmental Living under the Pittwater Local Environmental Plan 2014. The construction of dwelling alterations and additions are permissible with the consent of Council.

The subject site currently comprises a single dwelling and is thus considered suitable for the proposed development.

In the absence of any unreasonable impact the subject site is considered to be suitable for the development as proposed.

7. CONCLUSION

The proposed development is identified as development permissible with the consent of the Council under the terms of the Environmental Planning and Assessment Act 1979 and the Pittwater LEP and has been assessed against the requirements of Section 4.15(1) of the Act, the Pittwater LEP and DCP.

It is not considered that the proposed dwelling alterations and additions will unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

It is therefore considered that this proposal for the construction of dwelling alterations and additions upon land at 271 Whale Beach Road, Whale Beach is worthy of the support of Council.

Andrew Minto
Graduate Diploma (Urban & Regional Planning), Associate Diploma (Health & Building Surveying). MPIA.
MINTO PLANNING SERVICES PTY LTD
April 2021