

Statement of Environmental Effects

240 Whale Beach Road, Whale Beach, NSW 2107



Alterations and additions to existing dwelling

March 2023

Statement of Environmental Effects prepared by:

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Land to be developed: 240 Whale Beach Road, Whale Beach, NSW 2107

Proposed development: Approval is sought for alterations and additions to an existing dwelling.

Declaration: I declare that I have prepared this Statement and to the best of my knowledge:

1. The Statement has been prepared in accordance with clause 4.12 of the EP & A Act and Clause 50 of the EP & A Regulations.
2. The Statement contains all available information that is relevant to the environmental assessment of the development to which this Statement relates, and
3. That the information contained in the Statement is neither false nor misleading.

Signature:



Name: Damian O'Toole
Date: Mar 2023



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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted in support of a Development Application (DA) for the proposed alterations and additions to the existing freestanding single dwelling located at 240 Whale Beach Road, Whale Beach, NSW 2107. The subject site forms part of the Northern Beaches Council Local Government Area (LGA).

The proposed works seek to enhance residential amenity by providing a new small first floor addition to the rear of the dwelling above the existing laundry/storage space. The works will deliver enhanced internal living spaces through providing an additional bedroom and bathroom space to meet requirements for the owner/occupants. The proposal is well considered and will significantly improve residential amenity on the site whilst not materially impacting the amenity of any adjoining neighbouring properties, nor the character and appearance of the existing streetscape. The proposed development is permissible with consent and is suitable for the site and the area.

Whilst a more detailed description of the proposed works is provided in Section 4.0 of this report, the proposal will have the following merits:

- Construction of a new small first floor addition at the rear of the dwelling, replicating the existing form with compatible materials/finishes.
- Works will not significantly alter the principal form to the streetscape by being located to the rear and setback appropriately from the front portion of the dwelling.
- Improve amenity by increasing living space.
- Not have an unreasonable adverse impact on neighbouring properties with regards to solar access, ventilation, and loss of privacy, overshadowing or outlook. The neighbours are sufficiently screened and separated from the area of works.
- Includes materials, fittings and features consistent with BCA requirements, current Australian standards, and ecologically sustainable development.

This report has been prepared on behalf of the applicants of the proposed development. This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2021. The purpose of this document is to detail the proposed development, review the applicable planning regime relating to the proposal, assess the degree of compliance and examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15 of the Environmental Planning and Assessment Act, 1979. In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any harm to environmental amenity have been addressed in this report.

The proposed development is permissible with Council's in the C4 Environmental Living Zone under the Pittwater Environmental Plan (LEP) 2014. The proposal complies with Council's Codes and Policies. An assessment of the proposed development has not identified any unreasonable adverse environmental impacts likely to arise as a result of the proposal. It is therefore recommended that consent for the proposed development is granted subject to

Council's standard conditions.

2.0 Site Location and Description

2.1 The Subject Site

The subject site is known as 240 Whale Beach Road, Whale Beach, NSW 2107, and is legally defined as Lot 208 in Deposited Plan (DP) 15376. The site is located on the western side of Whale Beach Road, approx. 90m north of the intersection with Morella Road (figure 1). The allotment is irregular in shape, following the prevailing subdivision pattern, following the curve of Whale Road Beach. The allotment is on the higher side of Whale Road Beach, with direct sightlines to Whale Beach (Tasman Sea) to the east. The total site area is approx. 760m², with the allotment having a steep west to east slope, with sandstone cliffs and a steep hill located behind the property. The surrounding area forms part of the C4 Environmental Living zone. Further details of the site are documented on the accompanying Survey Plan.

2.2 Existing Built Form

The site currently contains a free-standing dwelling. The upper levels (main living areas) are recent, being constructed about a decade ago, using the local vernacular of sandstone and fibre-cement weatherboard with a ribbed metal roof. The front of the property is dominated by a double garage with pedestrian entry along the southern boundary. The front garden has a sub-tropical character, while the rear garden is planted to reinforce the existing native landscape.

Internally the dwelling contains three bedrooms, two on the main level 1 with the master suite located on upper level, two bathrooms (main bathroom and ensuite), open plan kitchen/living/dining space, laundry and storage space. The main living area adjoins a large timber deck overlooking Whale Beach Road, and Whale Beach, whilst the rear setback comprises a paved courtyard facing the steep sandstone cliffs. Subsequently, the rear setback/overall dwelling receives no direct sunlight on winter afternoons due to the height of the sandstone walls. There is also a basement level containing two large spaces and a bathroom. However, due to damp issues (the original 1930s stone construction was built into the hillside) it is infrequently used.

2.3 The Surrounding Area

The site is located approximately 30 km northeast of the Sydney CBD and is located within the Local Government Area (LGA) of the Northern Beaches. The dwelling is not listed as a local heritage item, nor within a Heritage Conservation Zone under the Pittwater Local Environmental Plan 2014. The site is located within the C4 Environmental Living zone under the provisions of the Pittwater LEP 2014. The site has been identified as having potential bushfire risk. (See relevant report on appropriate architectural considerations).

Development in the surrounding area comprises predominantly residential dwellings in an

assortment of architectural styles, ranging from single storey dwellings to larger multi storey residential dwellings. The natural topography of the locality results in the western side of Whale Beach Road being significantly set higher than the eastern side, enabling unobstructed ocean views of properties along the western side. Immediate properties to the north and south are of a comparable bulk, scale and height, being multi storey residential dwellings built atop sandstone basement garages with views orientated towards Whale Beach. Properties along the eastern side of Whale Beach Road are set significantly lower, with the rooftops sitting lower than the road itself, allowing unobstructed vistas towards Whale Beach. The rear of the site is bounded by large, steep sandstone cliffs that block views into the rear setback of the property from the western neighbours.

Photographs of the site and surrounding locality are provided in Section 3.0.

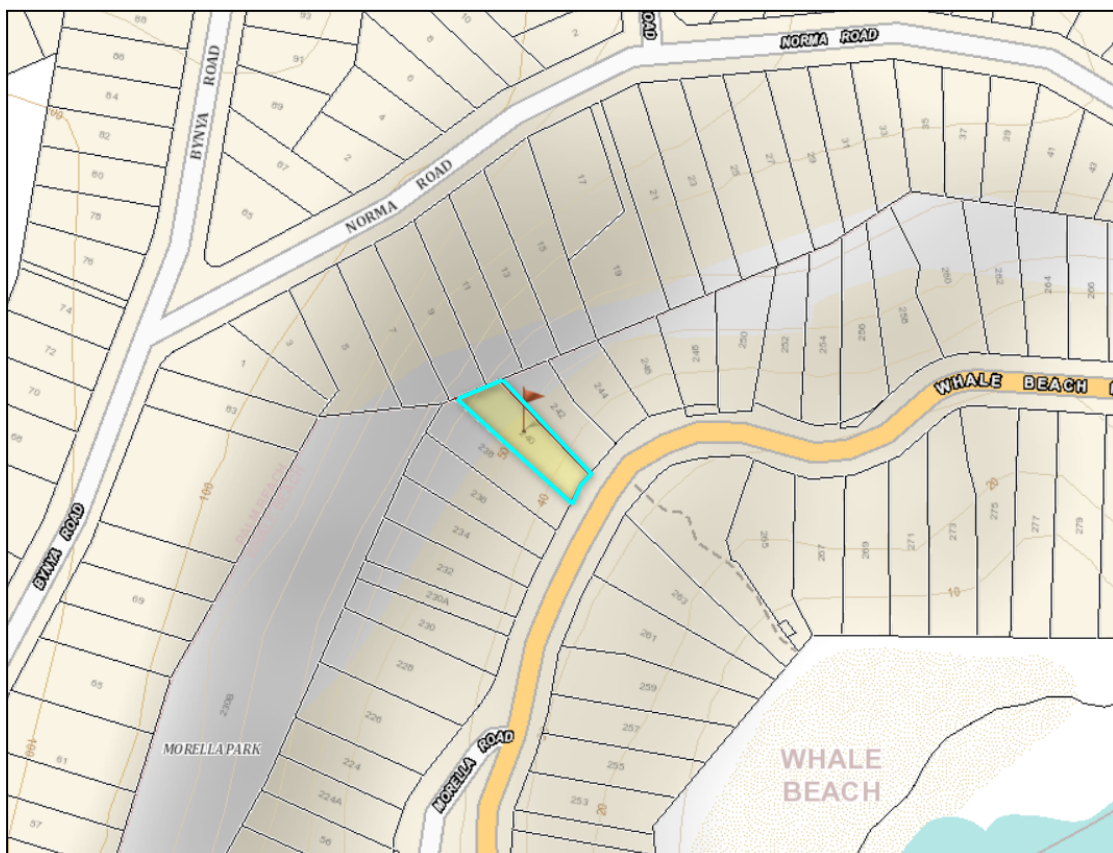


Figure 1: Map showing the subject site (cyan outline) within the wider area (Source: LPI SIX Maps).



Figure 2: Aerial view of the subject site (cyan outline) (Source: LPI SIX Maps).

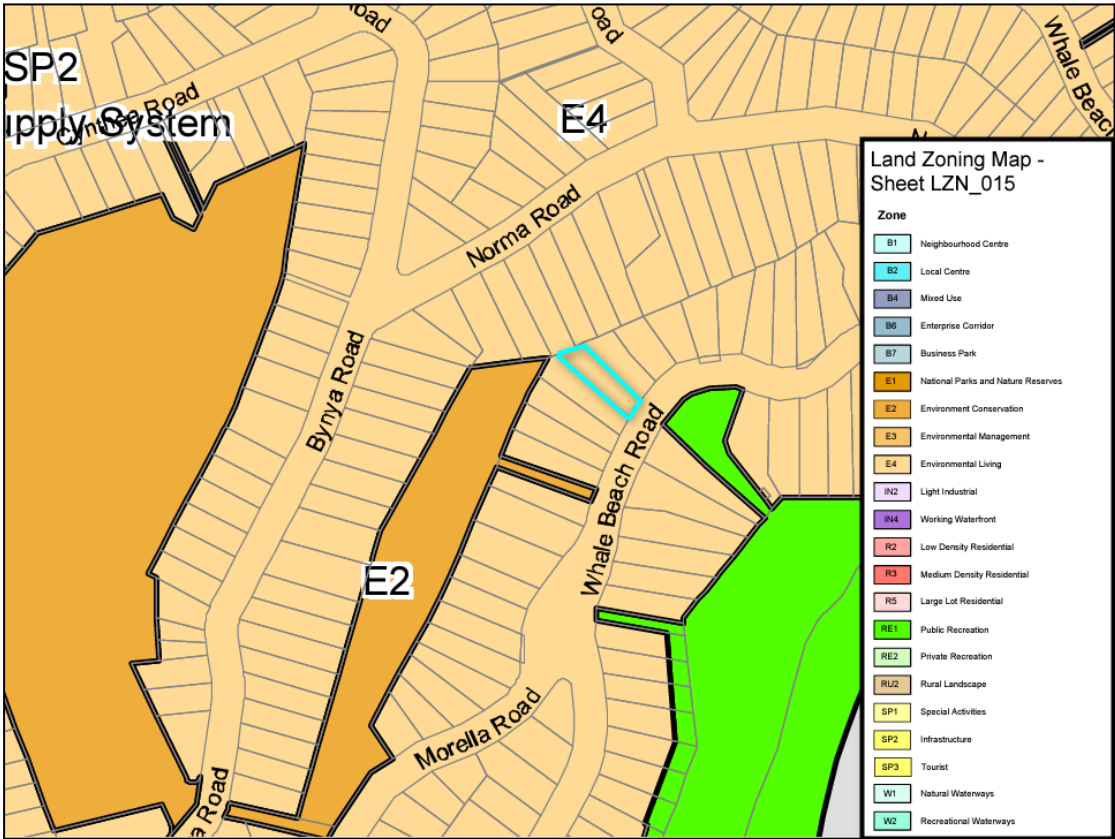


Figure 3: LEP Land Zoning Map showing the site (cyan outline) zoned as E4 Environmental Living zone (Source: Pittwater LEP 2014, Sheet LZN_015).

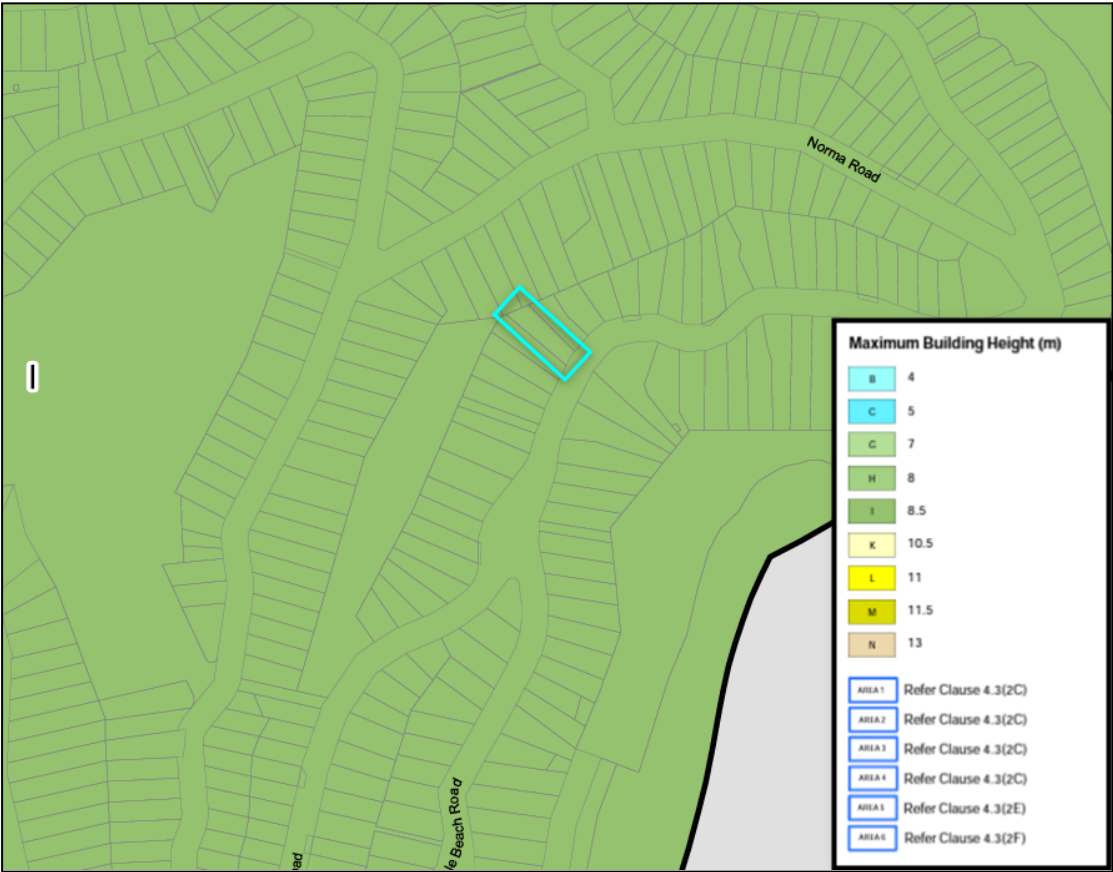


Figure 4: Height of Building (HOB) Map showing the subject site (cyan outline) being located within Area I on the HOB map with a max height of 8.5m (Source: Pittwater LEP 2014, Sheet HOB_015).

3.0 Photographs of the Subject Site



Figure 5: View of subject site from Whale Beach Road.



Figure 6: Northern neighbour at 242 Whale Beach Road.



Figure 7: Southern neighbour at 238 Whale Beach Road.



Figure 8: Rear courtyard (southern view) towards current laundry/storage area (proposed addition will be above).



Figure 9: Current rear courtyard facing north towards northern neighbour.



Figure 10: View of current rear setback in relation to surrounding form.



Figure 11: Elevated view of rear form, location of the proposed first floor addition.



Figure 12: Elevated view of rear form, location of the proposed first floor addition.



Figure 13: Elevated view of rear form, location of the proposed first floor addition, in relation to the sandstone cliffs.

4.0 Proposed Development

4.1 Proposed Works

The proposed works seek to provide a new small upper-level addition over the current laundry/storage area, to the rear of the dwelling located at 240 Whale Beach Road, Whale Beach, NSW 2107.

The proposed works seek to retain the front portion and façade of the current whilst providing a new upper level addition to the rear wing which protrudes into the rear courtyard. Works will provide an additional bedroom and bathroom space which will enhance residential amenity for the owner-occupants, whilst replicating the existing form, materials and finishes of the current dwelling to ensure design cohesion and compatibility.

This report responds to the accompanying architectural plans and should be read in conjunction with the following.

Site Plan

- New small upper level rear wing addition towards the rear of the site.
- No changes to the overall building footprint, façade, or front elevation.

- First Floor Plan** ▪ New addition consisting of new bedroom, bathroom, and internal staircase extension.
- Roof Plan** ▪ New curved profile roof over proposed addition to replicate existing detail.

4.2 Design Intent

The design approach intends to enhance residential amenity, by providing expanded living spaces without having any unreasonable impact to the front portion of the dwelling, the greater streetscape, or to the amenity of any surrounding residential neighbours.

Residential Amenity

The proposed works will improve levels of residential amenity by providing additional bedroom and bathroom spaces in alignment with contemporary living requirements. The proposal will not have any unreasonable impact on the neighbouring properties, as the proposed works are towards the rear, and away from neighbours.

Proposed works will be minor and are of a comparable bulk and scale to the existing rear forms in the immediate vicinity. The addition will sit below the current ridgeline of the current dwelling and will not dominate the existing form.

Solar Access

Solar access to the subject site and neighbouring sites is not materially affected. As the proposed addition is sited within the rear portion of the site adjacent to the rear boundary walls, solar access to the dwelling, and neighbouring properties, will remain unchanged.

It is noted that this property and its immediate neighbours do not receive sunshine on winter afternoons due to the cliffs located to the west behind the properties. Accordingly the works have no impact in terms of overshadowing.

Streetscape

The addition is located behind the dwelling and will not be visible from Whale Beach Road. The works will be set below the current ridgeline, therefore having a negligible impact from the primary frontage of the property.

Although not being visible, the proposed addition will have a suitable colour scheme, replicating the existing fibre cement weatherboards and curved metal roof formation. Materials and finishes are appropriate to the locality, and respective to the primary dwelling on the site.

BASIX

The BASIX certificate provided with this submission confirms environmentally sustainable development fixtures, fittings, and insulation requirements. Overall, the proposed works will not have an adverse visual or physical impact on neighbouring dwellings, or the streetscape.

The works also include materials and fittings consistent with BCA requirements and current Australian standards. The proposal is well considered in terms of bulk, privacy and overshadowing and will not dominate any views enjoyed by others.

5.0 Statutory Planning Considerations

The Environmental Planning and Assessment Act 1979 is the principal planning legislation in NSW. Section 4.15(1) of the Act specifies the matters that the consent authority must consider when determining any development application.

- Provisions of any environmental planning instrument – S4.15(1) (a) (i)
- Provisions of any draft environmental planning instrument – S4.15(1) (a) (ii)
- Provisions of any development control plan – S4.15(1) (a) (iii)
- Provisions of the Regulations – S4.15(1) (a) (iii)
- The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts on the locality – S4.15(1) (b)
- The suitability of the site for development – S4.15(1) (c)
- Any submissions made in accordance with the Act or Regulations – S4.15(1) (d)
- The public interest – S4.15(1) (e).

Following is an assessment of the matters of relevance referred to in Section 4.15(1) of the Act.

5.1 S.4.15(1)(a) Provisions of any environmental planning instrument, draft instrument, development control plan or matter prescribed by the regulations

The planning instruments of relevance to this application are:

- State Environmental Planning Policy (Building Sustainability Index): BASIX 2004;
- Pittwater Local Environmental Plan 2014 (LEP 2014); and
- Pittwater 21 Development Control Plan.

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

The Building Sustainability Index ensures homes are designed to use less potable water and be responsible for fewer greenhouse gas emissions by setting energy and water reduction targets for houses and units.

The proposal complies with the BASIX requirements and the BASIX certificate and assessor certificate is included as part of this application. Relevant details are contained in architectural drawings submitted.

The proposal is consistent with the requirements of this SEPP.

5.1.2 Pittwater Local Environmental Plan 2014

The Pittwater Local Environmental Plan 2014 is the comprehensive Local Environmental Plan applying to the site.

Relevant provisions of LEP 2014 are considered below.

Clause/Requirement	Summary of proposal	Compliance?
2.1 Land Use Zones		
C4 Environmental Living		
<p><i>Objectives:</i></p> <p>To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.</p> <p>To ensure that residential development does not have an adverse effect on those values.</p> <p>To provide for residential development of a low density and scale integrated with the landform and landscape.</p> <p>To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.</p>	<p>Proposed addition will have minimum environmental impact being small in scale and set above a pre-existing portion of the dwelling.</p> <p>No anticipated impact on values due to the minor scale of works and siting of the addition (upper floor above existing built spaces).</p> <p>Proposed addition will be set above the existing laundry/storage space, maintaining a low density form.</p> <p>No anticipated impacts from proposed addition.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p>
4.3 Height of Buildings (HOB)		
<p><i>Objectives</i></p> <p>To ensure the height of buildings is compatible with the character of the locality.</p> <p>The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> <p>Max HOB = 8.5m (Sheet HOB_015).</p>	<p>The addition's roofline is set lower than the existing main roof, below the 8.5 metre height limit above existing or natural ground lines.</p> <p>No change in this regard, proposed addition is set below the current ridgeline of the dwelling.</p> <p>Works are up to a height of approximately 6m above the existing courtyard/ground level.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p>
5.10 Heritage Conservation		

<p><i>Objectives</i></p> <p>To conserve the environmental heritage of the Inner West.</p> <p>To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.</p>	<p>The subject site is not located within any Heritage Conservation Area or very close to any item.</p> <p>The works will not have any adverse impact to any nearby heritage item.</p>	<p>Complies.</p> <p>Complies.</p>
6.1 Acid Sulfate Soils		
<p>Class of Land—5</p> <p>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.</p> <p>Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p>	<p>The subject site is identified as 'Class 5' of Acid Sulphate Soils.</p> <p>An Acid Sulphate Soils Management Plan is unlikely to be required, as the proposed works require no excavation.</p>	<p>Complies.</p> <p>Complies.</p>
7.6 Biodiversity		
<p><i>Objectives</i></p> <p>The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by—</p> <p>(a) protecting native fauna and flora, and</p> <p>(b) protecting the ecological processes necessary for their continued existence, and</p> <p>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—</p>	<p>The subject site is identified as being within the 'biodiversity zone' on the Pittwater Biodiversity LEP map.</p> <p>As the proposed addition is set above a pre-existing built portion of the dwelling, there will be no impacts to the biodiversity of the immediate locality.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p>

<p>(a) whether the development is likely to have—</p> <p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>The works will not remove any vegetation and will not interfere with any fauna and flora in any way.</p> <p>The site is not noted as being significant in this regard.</p> <p>No ground works are proposed.</p> <p>No impact in this regard.</p> <p>During construction care will be taken to ensure that no adverse impact occurs to vegetation.</p> <p>The siting of the work ensures no adverse impact.</p> <p>Appropriate management of the construction process will ensure that there is no impact to the natural environment.</p> <p>Noted. No adverse impact is anticipated.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p>
7.7 Geotechnical Hazards		
<p><i>Objectives</i></p> <p>The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards—</p>	<p>The subject site is identified as being within area 'W' on the Geotechnical Hazards Map (sheet GTH_015).</p>	<p>Complies.</p>

(a) matches the underlying geotechnical conditions of the land, and (b) is restricted on unsuitable land, and (c) does not endanger life or property.	The works are too small in scope and will not directly affect the structural stability of the land.	
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5.1.2 Pittwater 21 Development Control Plan

This DCP provides detailed design principles, criteria, objectives, performance requirements and preferred solutions, which apply to the site in the Northern Beaches Local Government Area.

The main issues in respect of compliance with the provisions of the DCP are considered below.

Clause/Requirement	Summary of Proposal	Compliance?
Section C – Development Control Types		
C1 Design Criteria for Residential Development		
B3.2 Bushfire		
<i>Controls</i> A Bushfire Risk Assessment Report is to be prepared by a suitably qualified Bushfire consultant demonstrating that the proposal complies with the requirements of Planning for Bushfire Protection (2006) and AS 3959 - Construction of buildings in bushfire-prone areas.	A specialist report is provided with this submission.	Complies.
C1.1 Landscaping		
<i>Controls</i> A built form softened and complemented by landscaping. Landscaping reflects the scale and form of development. Retention of canopy trees by encouraging the use of pier and beam footings.	Proposed upper-level addition will have no impacts to the existing landscaping on site. No changes as per this proposal.	Complies.

Development results in retention of existing native vegetation.		
C1.3 View Sharing		
<p><i>Objectives</i></p> <p>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p> <p>Views are not to be obtained at the expense of native vegetation.</p>	<p>Proposed addition will have minimal impact to surrounding properties, as the southern neighbour is set higher than the subject site, and the rear bounded by steep retaining walls and topography. Rear neighbours will directly overlook the site due to the natural topography. The works are below the existing ridgeline. No native vegetation will be impacted as per this proposal.</p>	<p>Complies.</p>
C1.4 Solar Access		
<p><i>Controls</i></p> <p>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</p> <p>Where the following constraints apply to a site, reasonable solar access to the main private open space and to windows to the principal living area will be assessed on a merit basis:</p> <ul style="list-style-type: none"> where there is adverse slope or topography. 	<p>Southern neighbour is not impacted as property is set higher than the subject site. Proposed works will not change existing solar access on site, and for surrounding properties.</p>	<p>Complies.</p>
C1.5 Visual Privacy		
<p><i>Controls</i></p> <p>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</p>	<p>Southern boundary contains a high boundary fence which restricts views to and from the proposed addition. Windows facing north will look into the built form of the northern neighbour. No anticipated impacts to surrounding properties.</p>	<p>Complies.</p>

1.7 metres above floor level).		
Direct views from an upper-level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.	Proposed upper level addition will not overlook the northern and southern neighbours due to the southern boundary fence and the distance to the northern neighbour's house which has only one small window overlooking the rear courtyard of the subject site.	Complies.
C1.6 Acoustic Privacy		
<i>Controls</i> 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.	Proposed bedroom will be located on the upper floor towards the rear of the site.	Complies.
C1.7 Private Open Space		
<i>Controls</i> Minimum 80m ² 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.	Proposed works will not change the existing POS of the dwelling, remaining in the same location with the same dimensions (works confined to upper level).	Complies.
Section D – Locality Specific Development Controls		
D12 Palm Beach Locality		
D12.1 Character as viewed from a public space		
<i>Controls</i> 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.	Proposed upper level addition will not be visible from any streetscape due to the natural topography. No change to the front façade or streetscape presentation of the dwelling from Whale Beach Road.	Complies.
D12.3 Building Colours and Material		
<i>Controls</i>		

External colours and materials shall be dark and earthy tones. Finishes are to be of a low reflectivity.	The proposed addition will be sheeted in steel to meet the Bushfire protection standards (Refer to Bushfire Report). While fibre cement weatherboards have been nominated for the wall cladding, Colorbond 'Mini-orb' in 'Dune' colour may be substituted. The wall cladding will not be visible from public places.	Complies.
D12.6 Side and Rear Building Line		
<i>Controls</i> Land zoned R2 Low Density Residential or E4 Environmental Living: <ul style="list-style-type: none"> 2.5m to at least one side; 1.0m for other side 6.5m (rear) unless Foreshore Building Line applies. 	Proposed addition will retain the side (southern) and rear (western) setbacks by works aligning with the current southern and western building line.	Complies.
D12.8 Building Envelope		
<i>Controls</i> Buildings are to be sited within the set building envelope shown in the Pittwater DCP.	No significant changes as the proposed addition is at an upper level and only protrudes slightly over the existing courtyard and over the access passage to the west of the laundry. All setbacks and maximum heights are adhered to.	Complies.

5.2 S.4.15(1)(b) Impact on the Environment

The proposed development is appropriate for the site given the relevant planning requirements and because there are no negative impacts on neighbours to the site.

The development is considered to be in keeping with the character of the locality. The design, layout and siting of the development respects the streetscape character and environmental amenity of the area.

The waste from the works will be minimal, with a pair of windows removed for use elsewhere.

Relationship to adjoining development

Adjoining neighbours rear garden solar access will be maintained by the proposed resultant dwelling. In addition, the neighbour's privacy will not be unreasonably compromised by the works.

During construction, noise and building impacts will be minimised through observance of the requirements of the Environmental Protection Authority and Local Authorities. All noise emissions will comply with Australian Standards.

In this regard, adverse environmental impacts on adjoining dwellings will be minimal.

5.3 S.4.15(1)(c) The suitability of the site for the proposed development

Having regard to the characteristics of the site and its location, the proposed development is considered appropriate in that:

- It is consistent with the objectives of the C4 Environmental Living Zone under the Pittwater LEP 2014;
- The appearance, materials and finishes of the proposed development fit comfortably with the character of the existing dwelling and consistent with bulk and scale of surrounding development; and,
- The proposed development does not have any significant unreasonable adverse environmental impacts in relation to the adjoining residential properties.

As demonstrated throughout this Statement of Environmental Effects, the proposed development will not result in any significant adverse environmental impacts.

5.4 S.4.15(1)(e) The Public Interest

The proposed development does not have any detrimental impact on the streetscape, external appearance of the building or on the amenity of nearby residents. Consequently, the proposal is in the public interest.

6.0 Conclusion

The proposed development is permissible with consent and is complimentary in character, bulk, roof form, materials, setbacks and scale with other adjoining and surrounding development in the locality. It is also consistent with the planning objectives for the zone and will provide significantly improved amenity for the occupiers.

The proposed development generally promotes and implements the planning principles, aims and objectives of:

- State Environmental Planning Policy (Building Sustainability Index): BASIX 2004;
- Pittwater Local Environmental Plan 2014 (LEP 2014); and
- Pittwater 21 Development Control Plan.

The proposed development has the following merits:

- It responds well to and utilises the site's attributes;
- The amenity of neighbours to the site is not adversely affected by the proposal. There is no unreasonable overshadowing, loss of views or privacy impacts;

- The proposed development is consistent in height and bulk with the current form and the surrounding properties;
- The appearance, materials and finishes of the work fits comfortably with within the streetscape and is of a high architectural standard;
- The works are consistent with the principles of ESD;
- The proposed development does not have any unreasonable or significant adverse environmental impacts in relation to adjoining properties; and
- The proposed development Includes materials and fittings consistent with BCA requirements and current Australian standards.

The development is also consistent with the planning objectives for the C4 Environmental Living zone and with the relevant requirements and controls of the Pittwater LEP and Pittwater DCP in general.

In light of the significant merits of the proposal and the absence of any adverse environmental impacts, it is recommended that Council grant consent to this development at 240 Whale Beach Road, Whale Beach, NSW 2107, subject to appropriate conditions of consent.