

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR DEMOLITION OF THE EXISTING DWELLING AND CONSTRUCTION OF A
NEW DWELLING, GARAGE, DRIVEWAY AND ASSOCIATED LANDSCAPING**

LOCATED AT

31 RALSTON ROAD, PALM BEACH

FOR

SANDY & SUE PROBERT



**Prepared
April 2025**

TABLE OF CONTENTS

1.0	Introduction.....	3
2.0	Property Description	4
3.0	Site Description	5
4.0	The Surrounding Development	9
5.0	Proposed Development.....	10
6.0	Zoning and Development Controls.....	12
6.1	State Environmental Planning Policy (Biodiversity and Conservation) 2021	12
6.2	State Environmental Planning Policy (Resilience and Hazards) 2021.....	15
6.3	State Environmental Planning Policy (Sustainable Buildings) 2022	15
6.4	Pittwater Local Environmental Plan 2014	15
6.5	Pittwater 21 Development Control Plan	21
6.5.1	Section A Introduction	21
6.5.2	Section B General Controls.....	22
6.5.3	Section C Development Type Controls.....	26
6.5.4	Section D Locality Specific Development Controls.....	30
7.0	Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979	35
7.0	The provisions of any environmental planning instrument.....	35
7.1	Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.....	35
7.2	Any development control plan	35
7.3	Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.	35
7.4	Any matter prescribed by the regulations that apply to the land to which the development relates	35
7.5	The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.....	35
7.6	The suitability of the site for the development	36
7.7	Any submissions made in accordance with this Act or the regulations.....	36
8.0	Conclusion	36

1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of Sandy and Sue Probert by Beaches Group, detailing the proposed demolition of the existing dwelling and construction of a new dwelling, garage, driveway and associated landscaping at **31 Ralston Road, Palm Beach**

The submission comprises plans prepared by Beaches Group, Revision A, dated 21 March 2025.

00	Cover page
01	Project Information
02	Site Demolition Plan
03	Site & Roof Plan
04	Lower Ground Floor Plan
05	Ground Floor Plan
06	First Floor Plan
10	Elevations
11	Elevations
20	Section
21	Section
100	Site Analysis
101	Site Analysis
102	Shadows
103	Shadows
104	Shadows
105	Shadows
106	External Finishes
107	3d Views

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. As a result of this 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.

In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act, 1979 as amended (**EP&A Act**)
- The Environmental Planning and Assessment Regulation 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Pittwater Local Environmental Plan 2014 (**PLEP 2014**)
- Pittwater 21 Development Control Plan (**P21 DCP**)

2.0 Property Description

The subject allotment is described as 31 Ralston Road, Palm Beach, being Lot 15, Section 4 within Deposited Plan 14048 and is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014.

The site is identified as Class 5 Acid Sulfate Soils. This matter will be discussed in further detail within this statement.

The subject site does not contain any heritage items, nor is it within a conservation area.

The site is identified on Council's Bushfire Prone Land Map. A Bushfire Hazard Assessment Report prepared by Steve Brooks Bushfire Consultant, dated 11 March 2025 accompanies this submission.

The site has also been noted as being subject to Council's Geotechnical Hazard Mapping and a Geotechnical Assessment has been prepared by AscentGeo Geotechnical Consultants, Reference No AG 25122 dated 27 March 2025 to accompany the submission.

No other hazards have been identified.

3.0 Site Description

The site is located on the northern side of Ralston Road.

The site is irregular in shape and has an angled frontage to Ralston Road of 18.29m, with a rear boundary measuring 18.29m. The depth of the site is 46.125m (eastern and western side boundaries). The total site area is 836.1m².

The site is currently occupied by a single storey clad house with tiled roof. A detached garage is located forward of the dwelling.

Vehicular access to the site is provided from Ralston Road via a concrete driveway to the existing detached garage.

The details of the lots which comprise the parcel are contained within the survey report prepared by Hammond Smeallie and Co Pty Ltd, Reference No. 14833, dated 12 February 2025, which accompanies the DA submission.

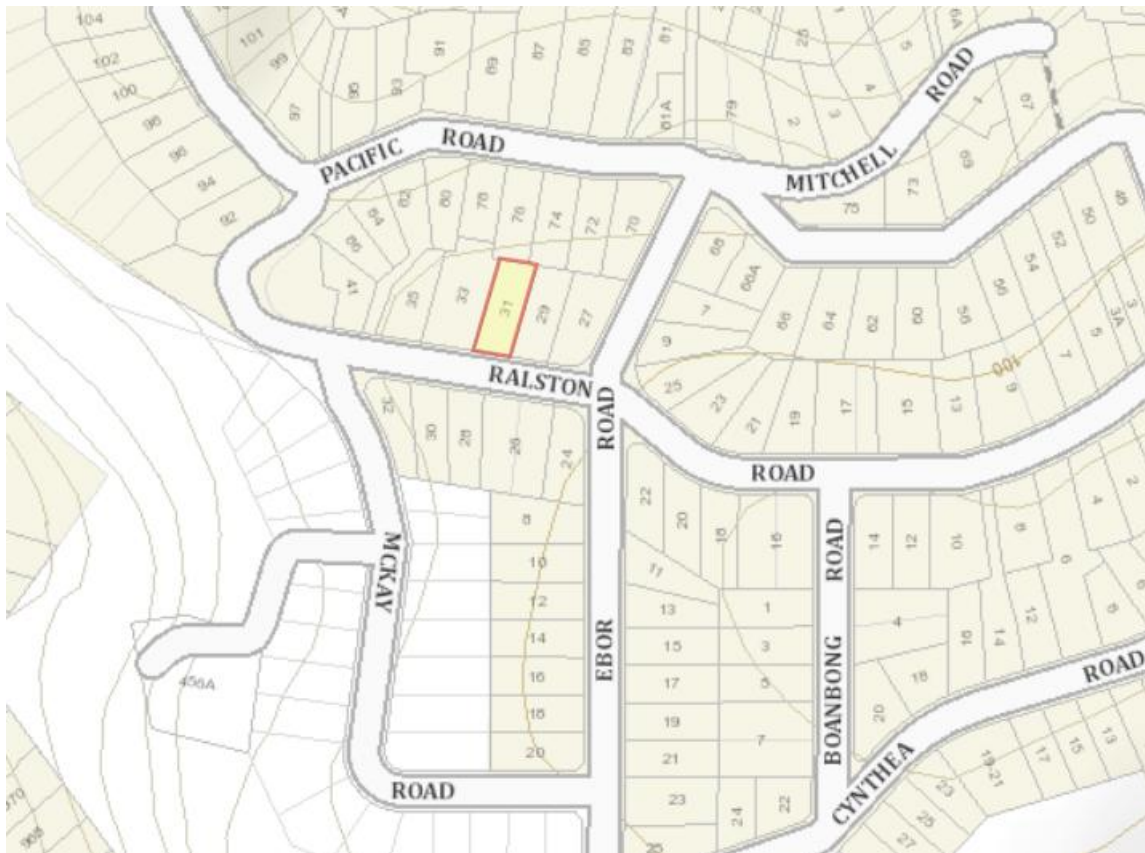


Fig 1: Location of Subject Site
(Source: Six Maps)



Fig 2: View of the subject site, looking north-east from Ralston Road



Fig 3: View of the neighbouring development under construction at 33 Ralston Road (DA2021/0253 – as modified) , looking north-east



Fig 4: View of the adjacent development to the north-west of the site



Fig 5: View of the neighbouring site at No 29 Ralston Road



Fig 6: View of the existing streetscape to the south-east of the site

4.0 The Surrounding Development

The general vicinity of the site is characterised by a mix of low density residential developments within landscaped settings, the design of which reflects the waterfront location.



Fig 7: Aerial Photograph
(Source: NBC Mapping)

5.0 Proposed Development

As detailed within the accompanying plans, the proposal seeks to provide for the demolition of the existing dwelling and the construction of a new two storey dwelling, including double garage and associated landscaping.

The proposed works will see the replacement of an existing one and two storey dwelling with a new two storey dwelling with a hipped roof form.

The proposed new works will comprise:

Lower Ground Floor Level

- Rumpus room/bedroom with bathroom and internal access to the upper level (ground floor level)

Ground Floor Level

- Proposed ground floor level to provide for entry, media room, bedroom, bathroom, WC, laundry, internal lift shaft and access stairs to proposed first floor, laundry, pantry, open plan kitchen and living, dining and rear deck.

First Floor Level

- Proposed first floor level to provide for two bedrooms with balconies, bathroom and storage.
- Primary bedroom with walk-in robe, ensuite and rear balcony.

External

- Proposed new double garage with driveway access from Ralston Road
- New landscaping works

The external colours and finishes of the new works have been selected to complement the surrounding locality, as demonstrated on the Schedule of Finishes by Beaches Group Pty Ltd (Sheet No. 106).

The proposal will not require the removal of any significant vegetation to accommodate the new works.

The development indices for the development are summarised as:

Site Area	836.1m²
Required landscape area	501.7m ² or 60%
Existing landscaped area	403m ² or 48.2%
Proposed landscape area	451m ² or 53.9% (See DCP discussion)

6.0 Zoning and Development Controls

6.1 Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the Biodiversity & Conservation SEPP) contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation.

There are no trees within the site that have been identified as Heritage Items or identified within a Significant Tree Register.

The proposal will not require the removal of any significant trees to accommodate the new works.

There is no adverse impact on the biodiversity value for the site or the locality. No further consideration under the SEPP is required.

No further consideration under the SEPP is required.

6.2 State Environmental Planning Policy (Resilience and Hazards)

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

Overall, the proposed modified development remains consistent with the relevant provisions of SEPP (Resilience and Hazards).

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

SEPP (Sustainable Buildings)2022, applies to the proposed development. In accordance with the provisions of the Sustainable Building SEPP, a BASIX Certificate is submitted with the application and confirms that the proposal will comply with the water, thermal comfort, and energy efficiency requirements of the policy.

6.4 Pittwater Local Environmental Plan 2014

Clause 2.2 Zone objectives and Land Use Table

The site is zoned C4 Environmental Living under the provisions of the PLEP 2014.

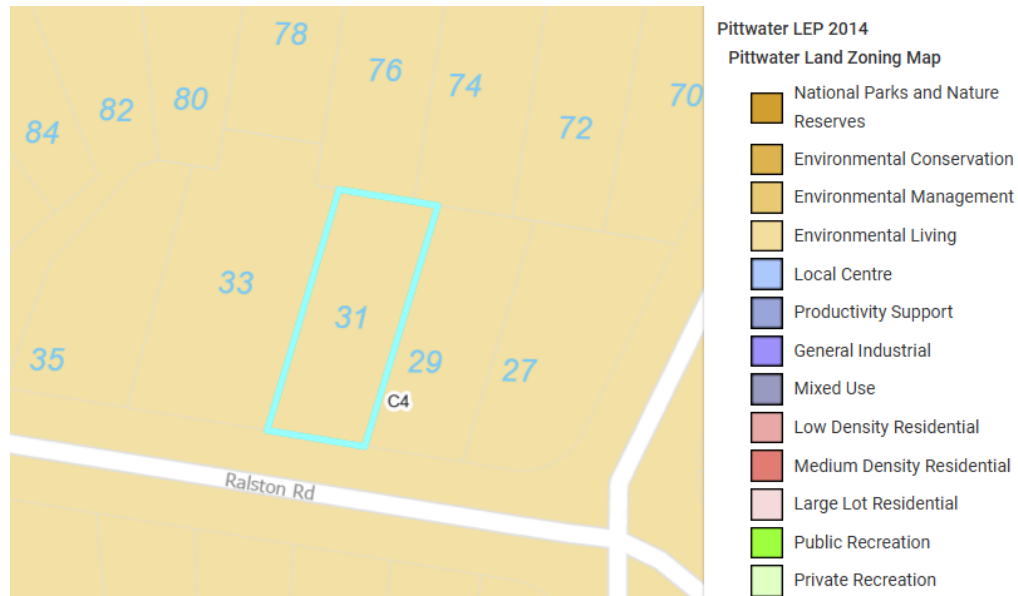


Fig 8: Extract of Zoning Map of PLEP 2014

The proposed new dwelling and associated residential facilities are permissible with the consent of Council.

The development of and use of the land for residential purposes within the C4 Environmental Living Zone is consistent with the zone objectives, which are noted as:

- *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.*

It is considered that the proposed new dwelling will be consistent with the objectives of the C4 zone and the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore complements the locality.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any adverse impact on long distance views.

Clause 4.3 – Height of Buildings

In accordance with clause 4.3(2) of PLEP 2014, the maximum building height for development at the subject site is 8.5m.

The proposed new dwelling reaches a maximum height of approximately 8.42m above existing ground level, consistent with the maximum height prescribed by this clause.



Fig 9: Extract of Height of Buildings Map of PLEP 2014

Clause 5.21 – Flood Planning

The site is not identified on Council's Flood Hazard Map of P21 DCP.

Clause 7.1 – Acid Sulfate Soils

The site is identified as being within an area affected by Acid Sulfate Soils (Class 5). The proposal will not require any significant site excavation and disturbance other than new footings and ground floor slabs and therefore it is not anticipated that any acid sulfate soils will be disturbed and a further assessment of the site conditions not considered necessary in this instance.



Fig 10: Extract of Acid Sulfate Soils Map of PLEP 2014

Clause 7.2 – Earthworks

The proposal will not require any significant site disturbance or excavation and therefore no further geotechnical investigation is considered to be warranted in this instance.

Notwithstanding, a Geotechnical Assessment has been prepared by AscentGeo, Reference No. AG 25122, dated 27 March 2025.

All works on site will be carried out under the supervision of the consulting Structural and Geotechnical Engineers.

Clause 7.6 – Biodiversity Protection

The site is identified on PLEP Biodiversity Map.

The proposed new dwelling is largely sited within the footprint of the existing dwelling, and will not require the removal of any significant vegetation.

A suitable area of soft landscaping will be maintained.

Accordingly, the proposal is not considered to result in any adverse impacts on biodiversity within the site and wider locality.



Fig 11: Extract of Biodiversity Map of PLEP 2014

Clause 7.10 – Essential Services

The services that are available to the existing dwelling will be provided to the proposed new dwelling.

There are no other clauses of the PLEP 2014 that are considered to be relevant to the proposed development.

6.5 Pittwater 21 Development Control Plan

Council's Pittwater 21 DCP and Section D12 Palm Beach Locality Statement provide a range of outcomes and controls which form the primary criteria control for development within the subject locality.

6.5.1 Section A Introduction

A4.12 Palm Beach Locality

Desired Character

The Palm Beach locality will remain primarily a low-density residential area with dwelling houses in maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on the lowlands and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale whilst ensuring that future development respects the horizontal massing of the existing built form. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the commercial centres will reflect a 'seaside-village' character through building design, signage and landscaping, and will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

Palm Beach will remain an important link to the offshore communities.

It is considered that the proposal is consistent with the desired character of the locality.

The dwelling has a two-storey appearance to Ralston Road, consistent with the height and bulk and surrounding and nearby dwellings.

The development has been designed and will be built to minimize risk from hazards.

Landscaping is proposed to ensure that the development is secondary to landscaping.

6.5.2 Section B General Controls

The General Controls applicable to the proposed development are summarised as:

B3.2 Bushfire

The controls seek to achieve the outcomes:

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

The site is identified on Council's Bushfire Prone Land. A Bushfire Hazard Assessment Report prepared by Steve Brooks Bushfire Consultant, dated 11 March 2025 accompanies this submission.

The works will be carried out in accordance with the recommendations of the report.

The proposal is considered to satisfy the outcomes of the clause.

B4.6 Wildlife Corridors

The controls seek to achieve the outcomes:

Retention and enhancement of wildlife corridors ensuring/providing the connection of flora and fauna habitats. (En)

The proposed new works are located within an existing disturbed area of the site, and will not require the removal of any significant vegetation.

The proposal is not considered to result in any adverse impacts on wildlife corridors within the locality.

B5.15 Stormwater

The controls seek to achieve the outcomes:

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.

The application is supported by Stormwater Management Plans by which note that stormwater from the development will be directed to the existing system which directs stormwater to, with a rainwater reuse tank with a minimum volume of four per cubic metre to be provided to address the requirements of the SEPP Basix.

No OSD is considered necessary in this instance.

B6.1 Access Driveways and Works on the Public Road Reserve

This control seeks to achieve the outcomes:

Safe and convenient access. (S)

Adverse visual impact of driveways is reduced. (En)

Pedestrian safety. (S)

An effective road drainage system. (En, S)

Maximise the retention of trees and native vegetation in the road reserve. (En, S)

The application seeks consent for a new driveway crossing within the Ralston Road public road reserve in place of the existing crossing. The driveway has been designed in accordance with the relevant provisions of AS2890.1.

B6.3 Internal Driveways – Low Density Residential

This control seeks to achieve the outcomes:

- Safe and convenient access. (S)*
- Reduce visual impact of driveways. (S)*
- Pedestrian safety. (S)*
- An effective road drainage system. (En, S)*
- Maximise the retention of trees and native vegetation.*
- Reduce contaminant run-off from driveways.*

The application proposes a new internal driveway to provide access between the garage and the street. The driveway is designed in accordance with the relevant provisions of AS2890.1.

The proposed driveway also includes a small turning and manoeuvring area to allow vehicles to leave the site in a forward direction.

B6.3 Off-Street Vehicle Parking Requirements

This control seeks to achieve the outcome:

- Safe and convenient parking. (S)*

Two off-street parking spaces are provided within the proposed new garage, consistent with the minimum requirement for 2 spaces prescribed by this control. The proposed parking spaces within the proposed garage are designed in accordance with AS2890.1.

B8.1 Construction & Demolition – Excavation and Landfill

The controls seek to achieve the 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)*

The proposal will not require any significant excavation or the disturbance of the site to accommodate the new works.

The proposed works will be supervised by appropriately qualified Structural Engineers.

B8.2 Construction and Demolition – Erosion and Sediment Management

The controls seek to achieve the outcomes:

- Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)*
- Reduction of waste throughout all phases of development. (En)*
- Public safety is ensured. (S)*

Protection of the public domain. (S, En)

This clause requires that erosion and sediment controls are installed on site to prevent the migration of sediment to adjoining properties, roads or waterways. Appropriate erosion & sediment control measures will be provided under the direction of the Consulting Structural Engineer.

B8.3 Construction and Demolition – Waste Minimisation

The controls seek to achieve the outcomes:

Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)

Any demolition material will be removed and recycled off site where possible or taken to an approved waste disposal facility.

6.5.3 Section C Development Type Controls

The Development Controls applicable to the proposed new dwelling and including a new garage are summarised as:

C1.1 Landscaping

The controls seek to achieve the outcomes:

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)

The required controls to achieve the outcomes are to ensure that the development will provide for the reasonable retention and protection of the existing significant trees and to provide for locally occurring species within any proposed replanting of the site.

The proposal will not require the removal of any significant vegetation to accommodate the new works.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

On-going safety and security of the Pittwater community. (S)
Opportunities for vandalism are minimised. (S, Ec)
Inform applicants of Council's requirements for crime and safety management for new development. (S)
Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements (S)
Identify crime and safety priority areas in Pittwater LGA (S, Ec)
Improve community safety and reduce the fear of crime in the Pittwater LGA (S)
Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety. (S)

The proposed works allow for casual surveillance of persons entering the site and the street area.

C1.3 View Sharing

The controls seek to achieve the outcomes:

A reasonable sharing of views from public places and living areas. (S)
Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced. (S)
Canopy trees take priority over views (En, S)

The required controls to achieve the outcomes are to ensure reasonable view sharing for neighbouring properties. Following an inspection of the site and review of the proposed plans, it is anticipated that it is unlikely the proposed development will result in any unreasonable impacts upon existing views.

C1.4 Solar Access

The controls seek to achieve the outcomes:

Residential development is sited and designed to maximise solar access during mid-winter. (En)
A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development. (En)
Reduce usage and/dependence for artificial lighting. (En)

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid-winter.

The application is supported by solar access diagrams by Beaches Group, Sheet No. 102 – 105, Rev A, dated 21 March 2025 which demonstrates the resultant overshadowing associated with the proposed development. As evident in the solar access diagrams, the proposed development will not result in any unreasonable impacts upon solar access to adjoining properties.

The new dwelling will result in some increased shadowing during the 9.00am – 3.00pm period, however over the course of the day, greater than 50% of the northern yard which forms the primary private open space and is directly associated with the main living areas of the eastern neighbour, and will therefore maintain solar access in accordance with Council's requirements.

Furthermore, 3 hours of sunlight will be received to the proposed primary living area and areas of private open space, consistent with the requirements of this control.

C1.5 Visual Privacy

The controls seek to achieve the outcomes:

Habitable rooms and outdoor living areas of dwellings shall achieve and maintain visual privacy through good design. (S)

A sense of territory and safety is provided for residents. (S)

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitable protected to limit the effects of direct overlooking.

The proposed new dwelling has been designed with minimal openings along the side elevations and provides suitable screening and separation. Sufficient privacy between dwellings will be maintained, with sufficient spatial separation and landscaping provided, where required.

C1.6 Acoustic Privacy

The controls seek to achieve the outcomes:

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)

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

Given the residential nature of the works, the proposed development is unlikely to result in any unreasonable acoustic privacy impacts.

C1.7 Private Open Space

The controls seek to achieve the outcomes:

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).

The required controls to achieve the outcomes are to ensure that dwellings are provided suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

The proposed development provides ample area of private open space located adjacent to the internal living areas, with a variety of spaces proposed around the perimeter of the dwelling.

C 1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

Waste and recycling facilities are accessible and convenient, and integrate with the development. (En)

Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment. (En, S)

The required controls to achieve the outcomes are to ensure that adequate area remains for the storage of waste and recyclable materials.

The curtilage to the garage will maintain adequate area for the on-site storage of waste and recyclables, with the waste removed by Council contractors via the household garbage service.

6.5.4 Section D Locality Specific Development Controls

The **D12 Palm Beach Locality Statement** contains a number of outcomes for development. The proposal has been assessed in regard to the Locality Statement and is summarised in the following table.

In support of the proposal, it is considered that this proposal is well designed, comprehensive and consistent with the community's vision for development in Pittwater in that it is:

- Proposing a form of development which is compatible with the existing residential character of the area by maintaining an appropriate development scale which is compatible with the vicinity.
- The stormwater runoff from the development will be directed to the existing system. There will not be any adverse siltation or water pollution impacts on the general drainagesystem of the area or to local waterways.
- The development will not place additional demands on local infrastructure or on the sewage disposal system for the site.

A summary of the DCP controls for the **D12 Palm Beach Locality** is provided below:

D12.1 Character As Viewed From A Public Place

The control seeks to achieve the outcomes:

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 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'.

To preserve and enhance district and local views which reinforce and protect the 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)

The required controls to achieve the outcomes are to ensure that the proposed works maintain compatibility with the locality through appropriate design relief including roof forms textures, materials, the arrangement of windows modulation, spatial separation and landscaping.

The proposal presents a contemporary form, which complements the style and scale of other new development in the area. The new dwelling is highly modulated to ensure that the apparent size of the dwelling is reasonably reduced.

The existing vegetation is largely retained across the site to minimize the visual impact of the development proposed.

D12.3 Building colours and materials

The controls seek to achieve the outcomes:

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 and enhances the visual character 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 external colours and finishes of the new works have been selected to complement the surrounding locality, as demonstrated on the Schedule of Finishes by Beaches Group Pty Ltd (Sheet No. 106).

D12.5 Front Building Line

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

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

The amenity of residential development adjoining a main road is maintained. (S)

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

Vehicle manoeuvring in a forward direction is facilitated. (S)
To preserve and enhance the rural and bushland character of the locality. (En, S)
To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.
To encourage attractive street frontages and improve pedestrian amenity.
To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

The controls to achieve this outcome are to provide a 6.5m setback or the established building line, whichever is the greater.

The minimum proposed front setback of the new works is 6.5m and therefore complies with this control.

D12.6 *Side and rear building line*

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality. (S)
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 encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.
To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)
Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)
Flexibility in the siting of buildings and access. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
To ensure a landscaped buffer between commercial and residential zones is achieved.

The relevant controls to achieve this outcome are to provide a minimum setback of 2.5m for one side and minimum 1.0m setback for the other side.

The proposed development is compliant with the minimum side setbacks prescribed under the control with a 1.1m and 2.5m setback to the eastern and western boundaries, respectively.

The proposed dwelling and setbacks do not unreasonably impact upon the amenity of adjoining properties. The proposed development is well articulated and will not result in any adverse visual impacts as seen from Ralston Road, or adjoining properties.

Sufficient landscaping is to be retained and enhanced throughout the site to ensure that the development is appropriately screened and softened by landscaping. Overall, the proposal is considered reasonable and does not negate from consistency with the outcomes of this control, and as such, is supportable.

The new works will stand a minimum of 12.255m from the rear boundary and therefore readily comply with the 6.5m rear setback control.

D12.8 Building Envelope

The controls seek to achieve the outcomes:

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 neighbouring properties. (En, S)

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

The required controls to achieve the outcomes are to maintain the development within an envelope projected at a 45-degree angle from a height of 3.5m above the side boundaries.

Minor portions of the proposed development protrude beyond the prescribed envelope, as demonstrated on the accompanying plans by Beaches Group.

The minor areas of non-compliance comprise the upper limits of the external walls at the north-eastern and north-western extremities of the external walls, as a direct consequence of the fall in the land towards the north east.

The majority of the sidewalls comply the building envelope whether land is level or at a more gentle grade.

The minor non-compliances with the building envelope do not result in any significant or adverse impacts upon the amenity of adjoining properties with regards to solar access and visual privacy.

View corridors along the side setbacks of the dwelling are maintained for properties on the southern side of Ralston Road however new dwelling will not remove any significant views as the existing vegetation within the front setback provides a visual barrier for views through the site.

Further, the general height and scale of the development is consistent with that of surrounding properties and will be maintained below the height of surrounding and nearby trees.

The proposed development is highly articulated, with varied setbacks that provide a high degree of spatial separation between dwellings and associated high levels of amenity.

Vegetation is reasonably retained and enhanced across the site to ensure that the visual impact of the development is secondary to landscaping, as seen from Ralston Road.

The proposed non-compliance is reasonably supported on merit, as the proposal is otherwise consistent with the outcomes of this control.

D12.10 Landscaped Area – Environmentally Sensitive Land

The controls seek to achieve the outcomes:

- 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 required controls to achieve the outcomes are to ensure that residential development maintains a minimum of 60% of the site as landscaped area.

The proposed development has a soft landscaped area, exclusive of any provision for 6% functional landscaped area of landscaped area calculation of 451m² or 53.9%. The extent of the landscaped area provides a significant increase when compared to the existing conditions, the site provides for 403m² of landscaped area. Landscaping

Notwithstanding the shortfall in soft landscaping, the proposal provides for a high-quality landscape outcome, as demonstrated by the supporting landscape plan and architectural plans. The built form is highly modulated with sympathetic that is recessive alongside the retained and proposed landscaping onsite. In doing so, the proposal maintains the landscape character of the site and wider locality. The reduced soft landscaping does not impinge on the amenity within the development site and to adjoining properties, as demonstrated by the supporting shadow diagrams.

It is considered that the proposal satisfies the outcomes of the control. As such, together with the allowable 6% variation, bringing the total landscaped area to 59.9%, the proposal is found to be supportable on merit.

D12.14 Scenic Protection Category One Areas

The controls seek to achieve the outcomes:

- To achieve the desired future character of the Locality.*
- To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront. (En, S).*
- Maintenance and enhancement of the tree canopy. (En, S)*
- Colours and materials recede into a well vegetated natural environment. (En, S)*
- To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component (En, S)*
- To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.*
- To encourage view sharing through complimentary siting of buildings, responsive design and*

well-positioned landscaping.

To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.

Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

The required controls to achieve the outcomes are to ensure that the development shall minimise any visual impact on the natural environment when viewed from any waterway, road, or public reserve.

The proposed development is highly articulated and is of minimal bulk and scale. The proposed development is a high-quality architectural response that will positively contribute to the Ralston Road streetscape.

The recessive tones of the new works will minimise the visual bulk of the building, with existing and proposed landscaping to further soften the visual impact of the proposed development.

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the PLEP 2014 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

The proposal has also considered all relevant SEPPs, and Council can be satisfied that the proposal is consistent with these policies.

7.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to appropriately respond to the requirements and outcomes of the P21 DCP.

In accordance with the provisions of section 4.15(3A) of the EP&A Act, we request that Council applies considered flexibility where the application seeks variations to numerical development controls in the DCP as justified in this report. In particular, we consider that the variation to the landscaped area & building envelope controls to be reasonable alternative solutions, noting that the proposal is otherwise consistent with the outcomes of these clauses.

It is considered that the proposed design respects the desired character of the locality, in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity of the site.

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.

No matters of relevance are raised in regard to the proposed development.

7.5 Any matter prescribed by the regulations that apply to the land to which the development relates.

No matters of relevance are raised in regard to the proposed development.

7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's PLEP 2014 & the Pittwater 21 DCP and the Palm Beach Locality Statement.

7.7 The suitability of the site for the development

The subject land is currently C4 Environmental Living under the provisions of PLEP 2014 and is considered suitable for the proposed development.

7.8 Any submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered not to be contrary to the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the demolition of the existing dwelling and the construction of a new dwelling with double garage, together with associated landscaping, which respect and complement the site's location.

The proposal is a site-specific design response which takes advantage of the properties superior locational attributes whilst respecting the environmental characteristics of the site and the amenity of adjoining development.

The outcome is a modernised new rear recreational area of exceptional design quality which displays a highly articulated building form which appropriately responds to the sites existing dwelling, geometry and the constraints imposed by the siting and design of adjoining development in relation to privacy, solar access and views.

The proposal is fully compliant with the building height and displays a complimentary and compatible building form when compared to other development located along this section of Ralston Road and within the site's visual catchment generally.

The articulated side boundary setbacks maintain the rhythm of development and the setbacks provide appropriately for spatial separation, deep soil landscape opportunity, privacy, solar access and view sharing.

By maintaining our neighbour's amenity and by complementing the scale and form of other development in the immediate locality, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

VAUGHAN MILLIGAN

Town Planner

Grad. Dip. Urban and Regional Planning (UNE)