

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and
Additions

94 Whale Beach Road,
Whale Beach

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Statement of Environmental Effects

Alterations and Additions

94 Whale Beach Road, Palm Beach

Prepared under instructions from

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1 Introduction

This Statement has been prepared as part of the supporting documentation for a Development Application proposing alterations and additions to the existing dwelling and landscaping.

The design of the proposed dwelling is innovative and of high architectural merit. Particular attention has been given to ensuring that the proposed dwelling affords high levels of amenity for future occupants, whilst ensuring high levels residential amenity to adjoining properties are retained in relation to privacy, solar access and view sharing. The works also provide an enhancement of the private open space areas. The proposal is considered to positively contribute towards the built form quality of the housing stock established within the Palm Beach Locality.

The design has taken into consideration the advice obtained from Council via a pre-lodgement meeting.

In addition to the Statement of Environmental Effects, the application is also accompanied by the following:

- Survey Plan
- Architectural plans
- Landscape Plan
- Arborist Report
- Geotechnical Report
- BASIX certificate
- Waste Management Plan

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

- Environmental Planning and Assessment Act, 1979;
- Pittwater Local Environmental Plan 2014;
- Pittwater Development Control Plan 2014;
- State Environmental Planning Policy (Building Sustainability Index BASIX) 2004;

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed works are compatible with the desired future character of the Palm Beach locality.
- The proposed development will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 Site Analysis

2.1 Site Description and Location

2.1.1 The Site

The application relates to Lot 72 in DP 10782, 94 Whale Beach Road, Whale Beach. A location map is included as **Figure 1**.



Figure 1: Site Location (Source: Six Maps)

Number 94 Whale Beach Road is predominately rectangular shaped allotment comprising a total site area of 1019m². The site has a primary frontage of 20.12m to Whale Beach Road, approximate depth of 51.5m rear boundary of 20.05m. The topography of the site slopes down from street level to the rear boundary. The rear section of the site includes several large trees and vegetation.



Figure 2: Photograph of the site as viewed from Whale Beach Road.

2.1.2 The Locality

The locality is characterised mainly by two-storey dwelling houses on 750-1,400 square metre allotments, with allotments of 550-650 square metres (some smaller blocks may exist) adjoining the waterfront to the west. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. In the vicinity of Ocean Rd, the informal and casual nature of the parking carriageway and pedestrian pathway adds to the relaxed beach character of the locality and should be retained. Medium density housing concentrates around the Palm Beach neighbourhood retail centre on Barrenjoey Road.

Neighbouring properties located on Whale Beach Road are characterised by 1 and 2 storey detached dwelling houses set in informal landscaped settings.

2.1.3 Zoning and Key Environmental Considerations

The site is zoned C4 Environmental Living pursuant to the Pittwater Local Environmental Plan 2014. The key environmental considerations of the site are identified as follows:

- Acid Sulfate Soils, Class 5;

- Land identified on the Councils Terrestrial Biodiversity Map and Biodiversity Values Map
- Geotechnical Hazard Area

All the above environmental considerations are discussed in the following sections of this report and addressed in the documentation accompanying this Development Application.

3 Description of Proposed Development

3.1 Details of the Proposed Development

This application proposal alterations and additions to the existing dwelling. Specifically, the works propose the following:

Gym Level (RL 41.180):

- Proposed gym area located under the existing swimming pool

Pool Level (RL 44.68)

- New sauna, storage area, wet bar and bathroom
- Additional decking surrounding the existing pool and sunken lounge fire pit

Ground Floor (RL 50.63):

- New deck along the eastern boundary
- New sliding doors which open out to the new deck area.
- Planter boxes proposal adjacent to the boundary

A landscape plan has been provided detailing the new private open space areas as well as a range of native species with the majority of trees on the site are to be retained.

The proposed design is depicted on the plans and montages prepared by MM+J Architects. The design provides a contemporary dwelling and the proposed landscape treatments will ensure that the development sits comfortably within the streetscape.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Pittwater Local Environmental Plan 2014

The Pittwater Local Environmental Plan 2014 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

4.1.1 Zoning and Permissibility

As previously noted the site is zoned C4 Environmental Living pursuant to the provisions of the Pittwater Local Environmental Plan 2014.

Dwelling Houses are permissible with consent in the C4 zone. The specific objectives of the zone are identified as follows:

- *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.*

The application relates to alterations and additions to the existing dwelling and is permissible with consent in the zone.

4.1.2 Height of Buildings

Pursuant to Clause 4.3 of the PLEP, the site is identified on the height of buildings map as having a maximum permissible height of 8.5 metres. The objectives of the control are identified as follows:

- a) *To ensure that any building, by virtue of its height and scale, is consistent with the character of the locality;*
- b) *To ensure that buildings are compatible with the height and scale of surrounding and nearby development;*

- c) *To minimise any overshadowing of neighbouring properties;*
- d) *To allow for the reasonable sharing of views;*
- e) *To encourage buildings that are designed to respond sensitively to the natural topography;*
- f) *To minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

The existing maximum height of the dwelling is maintained. No new works are proposed above the 8.5m height standard and is compliant with this control.

4.1.3 Acid Sulfate Soils (Clause 7.1)

Pursuant to Clause 7.1 of the LEP, the site is mapped as being 5 acid sulfate soils. The proposed development does not require any significant levels of excavation that would disturb or expose acid sulfate soils and adversely impact on the local environment.

4.1.4 Biodiversity Protection (Clause 7.6)

Pursuant to Clause 7.6, the site is identified on the biodiversity map. The proposal will not require the removal of any prescribed trees on or adjacent to the site, as detailed in the arborist report provided. All proposed works are outside of the biodiversity values mapping area which is identified at the rear of the site.

4.1.5 Geotechnical Hazard Area

The site is identified as being a geotechnical hazard area and a geotechnical report has been provided with this application.

4.2 Pittwater Development Control Plan 2014

This policy document came into effect on 1 February 2004. P21 DCP contains development controls for the design and construction of buildings and the development of land in Pittwater. The proposed development has been assessed against the relevant provisions of P21 DCP as outlined in the following sections of this report.

4.2.1 Palm Beach Locality

The property is located within the Palm Beach Locality. The desired future character of the Palm Beach Locality will remain primarily a low-density residential area. The key objectives for the desired future character are identified as follows:

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.

The architects have responded to the client brief to provide a dwelling of design merit and visual interest which harmonises with the environmental locality and natural features of the site. The design of the work have a compatible with the character and scale of development within the

locality and immediate context. The development will provide a quality built form outcome on the site.

External materials and finishes will be consistent with the colours and materials of the existing dwelling and dwellings generally in the streetscape. In this regard the development responds positively to the desired future character of the locality and will contribute to the visual amenity of the streetscape.

4.2.2 Pittwater 21 Development Control Plan Compliance Table

A table demonstrating compliance with the relevant numerical provisions of the Pittwater 21 DCP 2014 is detailed as follows:

Control	Requirement	Proposed	Compliance
General Controls			
Development Type Controls			
Flora and Fauna Conservation B4.1	The long-term viability of locally native flora and fauna and their habitats in the Pittwater Local Government Area.	<p>All trees on or adjacent to the site will be retained. Tree 13, as identified in the report as a Scribbly gum, is the only prescribed tree to be impacted with the works. Tree protection measures have been recommended in that regard.</p> <p>The landscape plan also details the enhancement of native species on the site which will contribute to the biodiversity value of the local environment.</p> <p>The works are outside of the mapped biodiversity values area and no significant adverse impacts are anticipated to the biodiversity value of the local area.</p>	Yes

Control	Requirement	Proposed	Compliance
Preservation of Trees and Bushland Vegetation B4.22	<p>To protect and enhance the urban forest of the Northern Beaches.</p> <p>To effectively manage the risks that come with an established urban forest through professional management of trees.</p> <p>To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.</p> <p>To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.</p> <p>To promote the retention and planting of trees which will help enable plant and animal communities</p>	<p>An arborist report has been provided with this application. All trees to be retained with the proposed development.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>to survive in the long-term.</p> <p>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.</p>		
Stormwater B5.15	<p>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;</p> <p>Minimise the risk to public health and safety;</p> <p>Reduce the risk to life and property from any flooding and groundwater damage;</p> <p>Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources</p>	<p>The works proposed will be able to connect to the existing stormwater drainage system on site.</p>	Yes

Control	Requirement	Proposed	Compliance
	Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.		
Access driveways and Works on the Public Road Reserve B6.1	<p>Safe and convenient access.</p> <p>Adverse visual impact of driveways is reduced.</p> <p>Pedestrian safety. An effective road drainage system.</p> <p>Maximise the retention of trees and native vegetation in the road reserve.</p>	<p>The development proposes a new crossover and driveway. The existing crossover is to be deleted and the kerb reinstated. The crossover and driveway are to be constructed to the Australian Standards as detailed on the engineering drawings provided.</p>	Yes
Off-Road Vehicle Parking Requirements B6.3	2 Bedrooms + = 2 spaces	The existing off-street parking circumstance is to remain as per existing.	Yes
Excavation and Landfill B8.1	<p>Site disturbance is minimised. (En)</p> <p>Excavation, landfill and construction not to have an adverse impact. (En)</p>	<p>The application is accompanied by a geotechnical report which details the earthworks required to facilitate the development. The report concludes that the development is acceptable with regard to the level of risk provided the recommendations of the report are followed.</p>	Yes

Control	Requirement	Proposed	Compliance
	Excavation and landfill operations not to cause damage on the development or adjoining property. (S)		
Waste Minimisation B8.3	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)	<p>The development will require some minor demolition. All waste materials will be disposed of via an appropriate waste disposal contractor or reused/recycled where appropriate.</p> <p>A waste management plan has been provided.</p>	Yes
Landscaping C1.1	<p>A built form softened and complemented by landscaping. (En)</p> <p>Landscaping reflects the scale and form of development. (En)</p> <p>Retention of canopy trees by encouraging the use of pier and beam footings. (En)</p> <p>Development results in retention of existing native vegetation. (En)</p>	<p>The landscape plan prepared provides for an enhancement of site. The plan utilises various native species while also retaining all of the existing canopy trees. The various native trees, shrubs and grasses ensure the enhancement of the biodiversity of the local environment and habitats.</p> <p>A landscape plan has been provided.</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)</p> <p>Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)</p> <p>Landscaping enhances habitat and amenity value. (En, S)</p> <p>Landscaping results in reduced risk of landslip. (En, Ec)</p> <p>Landscaping results in low watering requirement. (En)</p>		
Safety and Security C1.2	<p>On-going safety and security of the Pittwater community. (S)</p> <p>Opportunities for vandalism are minimised. (S, Ec)</p> <p>Inform applicants of Council's requirements for crime and safety management for new development.(S)</p>	<p>The development will provide the occupants with opportunities for casual surveillance of the Road. The dwelling will have clearly defined entrance and will be appropriately lit.</p> <p>The proposal is considered to be consistent with Crime Prevention through Design principals.</p>	Yes

Control	Requirement	Proposed	Compliance
	Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements		
View Sharing C1.3	A reasonable sharing of views amongst dwellings. (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 development raises no concerns regarding potential view loss to neighbouring dwellings.	Yes
Solar Access Clause C1.4	Main private open space of the 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.	Shadow Diagrams have been prepared by MM+J Architects and are provided within the architectural set. The proposal meets the requirements for solar access in that 3 hours of sunlight is received to private open space areas and windows of the adjoining property.	Yes

Control	Requirement	Proposed	Compliance
	Windows to the principal living areas of the proposal and windows to the principal living area of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st to at least 50% of the glazed area.		
Visual Privacy C1.5	<p>Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design. (S)</p> <p>A sense of territory and safety is provided for residents. (S)</p>	<p>The works have been designed to limit any potential impacts on privacy and overlooking. The new deck situated along the eastern side boundary is compliant with the 2.5m side setback and has incorporated planter boxes within the setback to provide additional privacy screening measures.</p> <p>The balance of the other works regarding private open space enhancements and utilising existing undercroft areas to the rear of the dwelling do not raise any visual privacy concerns.</p>	Yes
Acoustic Privacy C1.6	Noise is substantially contained within each dwelling and noise from any communal or private open space	The development does not raise any significant concerns regarding the acoustic privacy to adjoining dwellings. It is considered that the alterations and additions will not result in any unreasonable noise impacts above that anticipated	Yes

Control	Requirement	Proposed	Compliance
	<p>areas are limited. (S)</p> <p>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)</p>	with a family home in a residential area.	
Private Open Space Clause C1.7	Minimum area of 80sqm 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	>80m ²	Yes
Palm Beach Locality Specific Development Controls			
Character as viewed from a public place D12.1	<p>To achieve the desired future character of the Locality.</p> <p>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of</p>	The proposal provides an enhancement of amenity to the existing dwelling while ensuring that any potential impacts are minimised to neighbouring properties. The development when viewed from the street will generally maintain the existing bulk and scale of the dwelling with the upper level deck including landscaping	Yes

Control	Requirement	Proposed	Compliance
	<p>the existing built and natural environment. (En, S, Ec)</p> <p>To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.</p> <p>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)</p> <p>High quality buildings designed and built for the natural context and any natural hazards. (En, S)</p> <p>Buildings do not dominate the streetscape and are at 'human scale'. To preserve and enhance district and local views which reinforce and protect the</p>	<p>treatments to soften its visual impact.</p> <p>The development will continue to sit within a landscaped setting with the existing trees being retained on the site. The rear of the site will remain untouched and respectful of its biodiversity value. A landscape plan has been provided also demonstrating an enhancement of landscaping on site.</p>	

Control	Requirement	Proposed	Compliance
	Pittwater's natural context.		
Building colours and materials D12.3	<p>The development enhances the visual quality and identity of the streetscape. (S)</p> <p>To provide attractive building facades which establish identity and contribute to the streetscape.</p> <p>To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.</p> <p>The colours and materials of the development harmonise with the natural environment. (En, S)</p> <p>The visual prominence of the</p>	<p>A schedule of materials and finishes are detailed within the architectural plans provided. They utilise a range of materials and earthy tones.</p>	Yes

Control	Requirement	Proposed	Compliance
	<p>development is minimised. (S)</p> <p>Damage to existing native vegetation and habitat is minimised. (En)</p> <p>An informal beachside appearance of the Palm Beach Village. (S, Ec)</p>		
Front Building Line D12.5	Development is to maintain a front building line of 6.5 metres or the established building line, whichever is greater.	The development will maintain its established front setback. The new timber deck at ground floor level will match the front setback alignment of the dwelling and includes landscaping treatments to soften the built form.	Yes
Side and Rear Building Line D12.5	<p>Development is to maintain a minimum side building line of 2.5 metres to one side and 1 metre to the other side.</p> <p>6.5 metre rear building line.</p>	<p>The development is generally consistent with the side setback controls with regard to the proposed works. The new ground floor deck will be built to the boundary however will include a 2.5m setback which includes planter boxes to the trafficable area of the deck.</p> <p>The works to the gym level and pool level do encroach within the setback however are utilising existing structural wall and not readily visible from neighbouring properties.</p>	No - worthy on merit

Control	Requirement	Proposed	Compliance
Building Envelope D12.8	Projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height.	The existing envelope of the dwelling is to be retained. The proposed works will not significantly alter the existing bulk and scale of the dwelling. The works are predominately relating to the ground floor deck and developing existing undercroft areas which are within the existing envelope.	No – minor breach to envelope.
Landscaped Area – Environmentally Sensitive Land D12.10	Total Landscaped Area is 60% of the total site area.	<p>The existing landscape area is calculated at 492.66m² or 48.33% of the site. The proposed landscape area is minorly reduced to 489.33m² or 48% of the site.</p> <p>This represent a negligible reduction in landscaping on the site. The application is supported with a landscape plan detailing landscaping enhancements throughout the site. The minor reduction does not take into consideration the planter boxes and landscape treatments proposed to the private open space area.</p> <p>The minor approximate 3m² reduction in soft landscaping is considered reasonable in this instance.</p>	No – negligible reduction from existing.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the residential component of the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.4 Matters for Consideration Pursuant to Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(i) The provision of any planning instrument

The proposal is permissible and generally in conformity with the General, Development Type and Locality Specific Controls contained within Pittwater 21 Development Control Plan.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent.

(ii) Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

N/A

(iii) Any development control plan

Pittwater DCP applies

(iiia) 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, and

N/A

(iv) The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

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

N/A

Context and Setting

i. What is the relationship to the region and local context in terms of:

- *The scenic qualities and features of the landscape*
- *The character and amenity of the locality and streetscape*
- *The scale, bulk, height, mass, form, character, density and design of development in the locality*
- *The previous and existing land uses and activities in the locality*

The proposed works are entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. What are the potential impacts on adjacent properties in terms of:

- *Relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)*
- *visual and acoustic privacy*
- *views and vistas*
- *edge conditions such as boundary treatments and fencing*

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *Travel Demand*
- *dependency on motor vehicles*
- *traffic generation and the capacity of the local and arterial road network*
- *public transport availability and use (including freight rail where relevant)*
- *conflicts within and between transport modes*
- *Traffic management schemes*
- *Vehicular parking spaces*
-

The proposal will result in a new driveway and the addition of a single integrated car garage. A traffic management letter has been provided with this application.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will continue to service the dwelling house.

Flora and Fauna

The application is accompanied by a landscape plan and arborist report.

Waste Collection

Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

N/A

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

- i) *Is the development design sensitive to environmental considerations and site attributes including:*

- *size, shape and design of allotments*

- *The proportion of site covered by buildings*
- *the position of buildings*
- *the size (bulk, height, mass), form, appearance and design of buildings*
- *the amount, location, design, use and management of private and communal open space*
- *Landscaping*

These matters have been discussed in detail earlier in this report. The potential impacts are minimal and within the scope of the general principles, desired future character and built form controls.

ii) How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation*
- *building fire risk – prevention and suppression*
- *building materials and finishes*
- *a common wall structure and design*
- *access and facilities for the disabled*
- *likely compliance with the Building Code of Australia*

The proposed development will comply with the provisions of the Building Code of Australia as required by Clause 98 of the Environmental Planning and Assessment Regulation 2000. There will be no detrimental effects on the occupants through the building design which will achieve the relevant standards pertaining to health and safety.

Construction

i) What would be the impacts of construction activities in terms of:

- *The environmental planning issues listed above*
- *Site safety*

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development prohibitive*
- *Would development lead to unmanageable transport demands and are there adequate transport facilities in the area*
- *Are utilities and services available to the site adequate for the development*
- *Are the site attributes conducive to development*

The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause excessive or unmanageable levels of transport demand.

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed works.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The architect has responded to the client brief to provide for a dwelling of design merit that provides a high level of amenity for the future occupants whilst appropriately addressing the sites setting and maintaining the amenity of the nearby residential properties. The development will provide a quality built form outcome on the site.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of good design that satisfies the outcomes and controls contained within the adopted legislative framework. Accordingly, approval of the development would be in the public interest.

5 Conclusion

The proposed works are permissible with consent and consistent with the intent of the built form controls as they are reasonably apply. The design has considered the constraints and opportunities presented by the existing built form and environment by seeking to enhance the private open space on site and utilise existing undercroft areas. The result is a dwelling of high amenity which will have a negligible impact on the amenity of surrounding properties.

It is considered that the proposal is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development
- The proposed works are compatible with the desired future character of the locality.
- The proposed dwelling will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of exceptional design merit, that satisfies the outcomes and controls contained within the adopted legislative framework.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.