

## **Statement of Environmental Effects**

**1110 Barrenjoey Road, Palm Beach, NSW 2108**



**Construction of a new single dwelling**

December 2019

**Statement of Environmental Effects prepared by:**

Name: Damian O'Toole  
Qualification: MA Town Planning  
Grad Dip Heritage Conservation  
Accredited Building Sustainability Advisor (No.20420)

Address: Studio 9, Level 5, 35 Buckingham Street, Surry Hills NSW 2010

Land to be developed: 1110 Barrenjoey Road Palm Beach

Proposed development: Approval is sought for the construction of a new dwelling house.

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: Dec 2019



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## **1.0 Introduction**

This Statement of Environmental Effects is submitted in support of a development application for the construction of a new dwelling at 1110 Barrenjoey Road, Palm Beach. The proposed works aim to provide very good residential amenity on the site within a low scale modest dwelling. The works are also intended to have very minimal impact to neighbour's amenity.

The works will provide a new modest single storey, low-rise skillion roof dwelling on the subject site. Internally the proposed room sizes and proportions are usable, and the living areas will have good access to light and ventilation. The proposed development is permissible with consent and is suitable for the site and the area.

The works have the following merits:

- Provide a high quality and well-designed dwelling that will provide very good amenity on the site with good connections between the indoor and outdoor living areas and good light and ventilation. The house will be low rise and spread across the site in order to allow improved connection between indoor and outdoor areas. The design has also considered neighbour's amenity and will allow views over the site from the east towards the water.
- Not unreasonably impact on neighbours to the site with respect to privacy, overshadowing or outlook.
- Off street parking will be retained on site with the provision of dedicated car parking area.
- Provide a compatible design with surrounding contemporary development, particularly in terms of height, design language and bulk.
- Will provide good solar access and ventilation for the residents from within the dwelling.
- Provide features consistent with ecologically sustainable development principles.
- Includes materials and fittings consistent with BCA requirements and current Australian standards.

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, 2000. The purpose of this document is to detail the proposed development, review the applicable planning regime relating to the works, 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 consent in the E4 Environmental Living Zone under the Pittwater Local Environmental Plan 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

The subject site is known as 1110 Barrenjoey Road, Palm Beach and is legally defined as Lot 2 in DP 1004105. The property is located on the eastern side of Barrenjoey Road behind existing commercial uses (hotel and restaurant). The site is accessed via a driveway north of *Barrenjoey House* (1108 Barrenjoey Road). The allotment has an irregular rectangular shape with a frontage of 27.4m and 39.9m (approximately). The total site area is approximately 1136m<sup>2</sup>.

The site is on a significant slope, with a 14m incline from front to rear (west to east). The site is currently undeveloped, containing only an existing driveway and a shed. Notably, there is a large boulder to the front of the site, which will be incorporated into the overall design of the proposed dwelling. The site (1110 Barrenjoey Road) has recently been subdivided from 1 lot into 3 lots. The subject lot is currently vacant of any improvements.

The site is located in a E4 Environmental Living Zone under the Pittwater Local Environmental Plan 2014. The site is not within a heritage conservation zone, however, it is adjacent to "Barrenjoey House" (restaurant and accommodation). A separate Heritage Impact Statement has not been requested by Council. Instead this SEE will provide a Heritage Assessment of the proposed works on this item.



Figure 1: Location of subject site (in red) within the wider area. (Source: LPI SIX Maps).



Figure 2: Aerial view of subject site (in red). (Source: LPI SIX Maps).



Figure 3: LEP land zoning map showing the subject site (in red) located within E4 Environmental Living Zone (Source: Pittwater LEP 2012).

### 3.0 Photographs of Subject Site



Figure 4: View from opposite side of Barrenjoey Road looking east. New dwelling will be located behind the dense hedge, to right side of Hotel.



Figure 5: Access handle.



**Figure 6: View to north from subject site. Neighbours are too far removed from the dwelling to be impacted in terms of outlook or privacy.**



**Figure 7: Site of the proposed dwelling is on the slope shown.**



Figure 8: Looking south.



Figure 9: Looking east. Neighbours to the east will retain views towards the west (water views).

## 4.0 Proposed Development

### 4.1 Overall

The proposed works will involve:

- Construction of a single storey dwelling with a low-rise skillion roof dwelling whose form, footprint, massing, materials and finishes are commensurate with contemporary developments in the surrounding locality.

#### *Proposed Ground Floor Plan*

- Stone pathway from existing driveway to spiral staircase entry.
- Large decking area at front of dwelling, containing a private sitting area, outdoor living area, and netted area. The deck allows views to the west.
- Open plan kitchen, dining and living area on at the northern portion of the dwelling (opening onto outdoor living area).
- Two bedrooms that open onto private sitting area, one master and the other bunk beds w/ trundles, both with built in robe/storage.
- One bathroom located between the two bedrooms, containing two WCs and shower facilities.

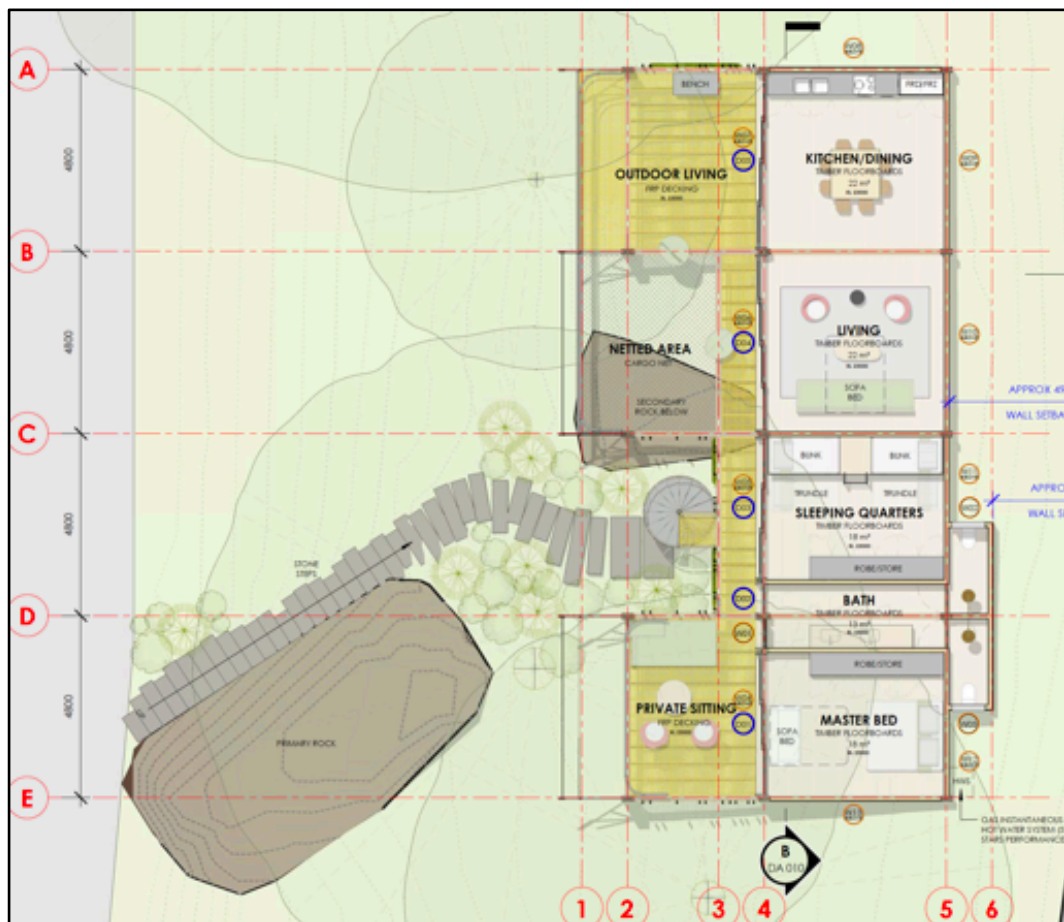


Figure 10: Proposed works - floorplan.

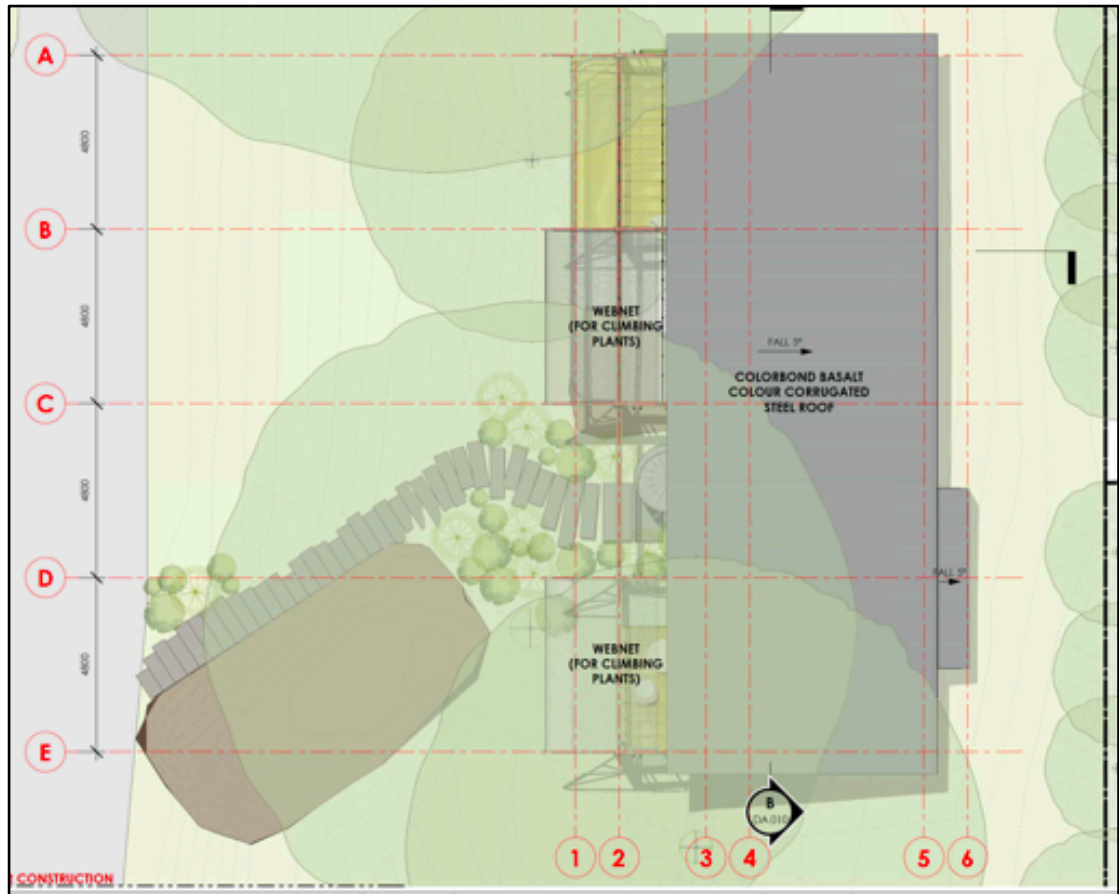


Figure 11: Proposed works, showing proposed roof plan.

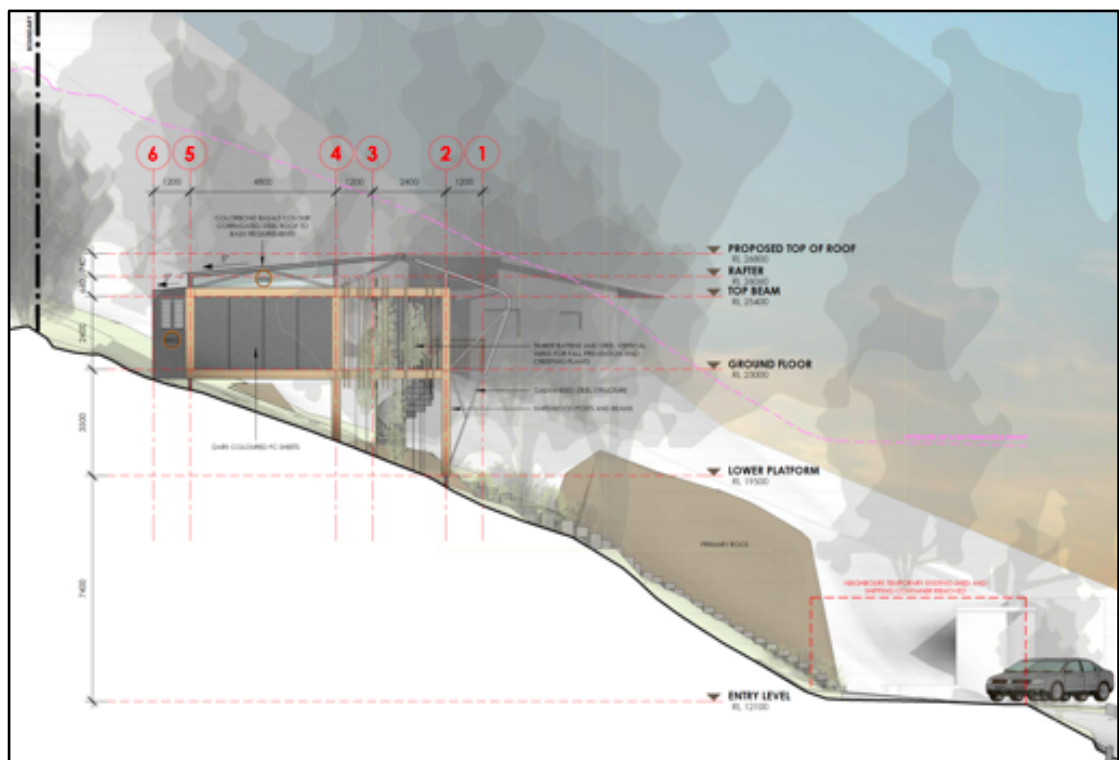


Figure 12: Northern elevation of proposed works, showing steep site slope.

#### **4.2. Design Intent**

The design approach is to provide a modest low-key dwelling with very high levels of residential amenity that will positively contribute towards the appearance of the area and will not have any unreasonable impact to neighbour's amenity. The works will provide several new living spaces having room sizes and proportions that are well considered and usable, and all common living spaces will have appropriate solar access and ventilation. Whilst the proposed works increase the overall height, the comparable height, aesthetic and bulk will be maintained.

#### ***Residential Amenity***

The proposal includes large sliding doors facing the west, the new dwelling will allow for very good levels light and ventilation for the entire dwelling. The deck being adjacent to the main living area, also allows for good amenity.

#### ***Streetscape***

The proposed building will appear as a single storey modest contemporary dwelling, being compatible with the existing streetscape character. The works are more modest than the vast majority of surrounding properties with regards to scale, height and bulk. The use of lightweight naturally toned materials further reduces any potential visual impacts.

#### ***Neighbours***

The works are well considered with respect to the neighbours around the site. The proposed works will not adversely impact views to adjoining and adjacent properties, as the natural slope of the site is sympathetic to the design of the new dwelling. There will be no unreasonable impact with regards to loss of ventilation, solar access or privacy for neighbouring properties.

Refer to attached site plans and finishes schedule.

Overall, the proposed new dwelling will have no unreasonable adverse visual or physical impact on neighbouring dwellings, the streetscape or vegetation. The works will also include materials and fittings consistent with BCA requirements and current Australian standards.

#### ***Heritage***

The site is immediately adjacent (behind) to the Heritage Listed *Barrenjoey House* (restaurant and bar), item no. 2270076. However the works will have no material impact to the setting of this item, given the separation distance (over 30m) to the new dwelling, the low-key single storey design of the dwelling, and the retention of significant vegetation including a row of 5-6m high dense hedging between the subject site and the heritage item. The setting of the item is not adversely impacted in any sense.

***Biodiversity***

Land is zoned 'Biodiversity' but not a heavily vegetated site and is not along riparian corridor. The land is predominantly low grass and does not contain endangered ecological communities.

***Flora and Fauna***

The proposed design will have minimal impact to the land as it is raised above ground on micro pile footings. An Arboricultural Impact Assessment has been produced and 2 native trees (Cheese trees) are proposed for removal. The removal of these trees is supported by the accompanying arborist report.

***Species Impact Statement***

The development will not affect threatened species or a critical habitat.

***Flood Risk Assessment***

Only a very small portion of the site is classed as medium risk. This area is well away from the intended dwelling.

## **5.0 Statutory Planning Considerations**

The Environmental Planning and Assessment Act 1979 is the principal planning legislation in NSW. Section 4.15 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 (Coastal Management);
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No.55 (Remediation of Land);
- Pittwater Local Environmental Plan 2014 (LEP 2014);
- Pittwater Development Control Plan (DCP).

#### ***5.1.1 State Environmental Planning Policies***

##### **State Environmental Planning Policy No. 55**

The site is not identified as potentially contaminated in Council's inventory and its previous and present use would significantly reduce any likelihood of contamination.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") applies to the proposed development. The development application will be accompanied by a BASIX Certificate committing to environmental sustainability measures.

## State Environmental Planning Policy (Coastal Management) 2018

The subject site is not within either the Coastal Environment Area and Coastal Use Area. The proposed works are located well away from Palm Beach waterway.

The new dwelling will be visible from the waterway, however it's low-key appearance and partial screening by existing vegetation will result in the dwelling not being highly visible from the waterway.

### 5.1.2 Pittwater – Local Environmental Plan 2014 (LEP 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?
<b>E4 Environmental Living Zone</b>		
<b>Objectives:</b> To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.	The proposed works are for a small-scale residential development, aligning with aesthetic and ecological values of this zone.	Complies.
To ensure that residential development does not have an adverse effect on those values.	Proposed dwelling is small in scale and has minimal impacts.	Complies.
To provide for residential development of a low density and scale integrated with the landform and landscape.	The proposed dwelling is well integrated with landscape by building around existing land features (boulders) and respecting the natural slope of the site. All major ecological features of the site will be preserved.	Complies.
To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.	Proposed works are sympathetic to existing vegetation and wildlife. No notable element is affected.	Complies.

<b>4.3 Height of buildings</b>		
<p><b>Objectives:</b></p> <p>To ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,</p> <p>To minimise any overshadowing of neighbouring properties,</p> <p>To allow for the reasonable sharing of views,</p> <p>To encourage buildings that are designed to respond sensitively to the natural topography,</p> <p>To minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.</p> <p>The height of a building on any land is not to exceed the maximum height shown for the land on the <i>Height of Buildings Map</i> = 8.5m</p>	<p>The proposed dwelling is well considered in terms of height and scale.</p>	<p>Complies.</p>
	<p>Proposed works will not overshadow neighbouring properties due to appropriate setbacks and the topography.</p>	<p>Complies.</p>
	<p>Views will not be materially impacted, as dwelling is single storey and built on a steep slope.</p>	<p>Complies.</p>
	<p>Proposed dwelling is well integrated within steep slope of site, being elevated on stilts and not cutting into the slope.</p>	<p>Complies.</p>
	<p>Proposed dwelling will match existing neighbouring properties in terms of height bulk and scale and use similar materials on the exterior to minimise visual impact.</p>	<p>Complies.</p>
	<p>The overall building height will be up to 7.2m.</p>	<p>Complies.</p>
<b>4.4 Floor space ratio</b>		
<p><b>Objectives:</b></p> <p>To ensure that buildings, by virtue of their bulk and scale, are consistent with the desired character of the locality,</p> <p>To minimise adverse environmental effects on the use and enjoyment of adjoining properties and the</p>	<p>Proposed dwelling is consistent with neighbouring properties in terms of bulk and scale, aligning with the desired character of Palm Beach.</p>	<p>Complies.</p>
	<p>Proposed works will not impact adjoining properties due to the positioning of the dwelling, and the steep slope.</p>	<p>Complies.</p>

public domain,		
To maximise solar access and amenity for public places,	The site has a west-east orientation and has been designed to maximise solar access.	Complies.
To manage the visual impact of development when viewed from public places, including waterways,	Proposed dwelling will be single storey, and minimally visible from the public domain as it is situated behind existing buildings on Barrenjoey Road and mature vegetation.	Complies.
The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <i>Floor Space Ratio Map = 1:1</i>	Proposed FSR = 0.084:1 (95.3m <sup>2</sup> :1136m <sup>2</sup> ).	Complies.
<b>7.6 Biodiversity</b>		
<b>Objectives:</b>		
Protect native fauna and flora, and	Proposed works are designed around existing flora, to maximize biodiversity on site.	Complies.
Encourage the conservation and recovery of native fauna and flora and their habitats.	Proposed works will preserve local flora, particularly the Port Jackson Fig and Spotted Gum, whilst only removing trees that have declining health.	Complies.

#### 5.1.2 Pittwater – Development Control Plan

Pittwater Development Control Plan contains more specific planning controls than contained within LEP 2014.

The most relevant sections of these documents are considered below.

Clause/Requirement	Summary of proposal	Compliance?
<b>A4.12 Palm Beach Locality</b>		
<b>Desired Character</b>		
The Palm Beach locality will	The proposed dwelling will maintain	Complies.

<p>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.</p>	<p>the low-density character, by being single storey and integrated with landscape through well articulated landscaping.</p>	
<p>Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.</p>	<p>Proposed works are within close proximity to local amenities, having access to Barrenjoey Road and all required facilities.</p>	<p>Complies.</p>
<p>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.</p>	<p>Proposed building height will remain below tree canopy and be similar bulk and scale of neighbouring properties.</p>	<p>Complies.</p>
<p>Existing and new native vegetation, including canopy trees, will be integrated with the development.</p>	<p>Existing native vegetation is well integrated into design, particularly the Port Jackson Fig and Spotted Gum.</p>	<p>Complies.</p>
<p>Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like.</p>	<p>Proposed facade will incorporate large verandah with pergola, contributing towards an overall modulated aesthetic.</p>	<p>Complies.</p>
<p>Building colours and materials will harmonise with the natural environment.</p>	<p>External finishes will blend suitable with natural environment. Refer to attached external finished and materials list.</p>	<p>Complies.</p>
<p>Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance.</p>	<p>Proposed dwelling will be sympathetic to steep slope, by including a stepped down entry, which contributes towards enhanced integration with the existing landscape.</p>	<p>Complies.</p>
<p>Development will be designed to be safe from hazards.</p>		
<p>A balance will be achieved between maintaining the</p>		

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.		
<b>B3.11 Flood Prone Land</b>		
<p><b>Controls</b></p> <p>The purpose of this Part is to guide development in accordance with the objectives and processes set out in the NSW Government's Flood Prone Land Policy as outlined in the NSW Government, Floodplain Development Manual, 2005.</p> <p>Development to which this Part applies must comply with the performance criteria set out in clause 1.1.</p> <p>Form A and A1 (Attachment A of Northern Beaches Council's Guidelines for preparing a Flood Management Report) is to be completed and submitted to Council</p> <p>Development that satisfies the prescriptive controls in clause 1.2 is deemed to have satisfied clause 1.1.</p>	<p>Proposed works will not affect the site's ability to manage water flow.</p> <p>Whilst a section of the site is note as being flood prone, this area is well away from the subject dwelling.</p>	Complies.

Section C – Development Control Types		
<i>C2 Design Criteria for Residential Development</i>		
<b>C1.1 Landscaping</b>		
<p><b>Controls</b></p> <p>All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species.</p> <p>In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.</p> <p>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site.</p> <p>60% of landscaped area for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy.</p>	<p>Proposed works include new landscaping, including canopy trees that are local native species, such as Spotted Gums.</p>	<p>Complies.</p>
	<p>Existing hedges adjacent to driveway will be retained, and new low shrubs at landscape steps and entry will be provided. Climbers have also been provided around the building to create green walls that soften the built form. Canopy trees that are healthy will be preserved, particularly the Port Jackson Fig and Spotted Gum.</p>	<p>Complies.</p>
	<p>Proposed works will include two canopy trees in the front yard and retain bushland at the rear of the site.</p>	<p>Complies.</p>
	<p>Proposed landscape area is 795.2m<sup>2</sup>, being approx. 70% of site area.</p>	<p>Complies.</p>
<b>C1.2 Safety and Security</b>		
<p><b>Controls</b></p> <p>Building design should allow visitors who approach the front door to be seen without the need to open the door.</p> <p>Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.</p> <p>Design landscaping and materials around dwellings and buildings, so that when it is mature it does not</p>	<p>Proposed siting will ensure visitors can be seen from entry point, due to large outdoor deck adjacent to step stone pathway.</p>	<p>Complies.</p>
	<p>The proposed contemporary dwelling will ensure passive surveillance. Street visibility and surveillance will be maintained through the steep slope and building design, allowing Barrenjoey Road to be viewed.</p>	<p>Complies.</p>
	<p>Existing canopy trees are positioned to the sides of the proposed dwelling, and new landscaping will consist of low vegetation. Additionally, the steep</p>	<p>Complies.</p>

unreasonably restrict views of pathways, parking and open space areas.	slope of the site always allows for pathways and parking areas to be viewed from the dwelling.	
The street number of the property is to be clearly identifiable.	Proposed street number will be displayed on Barrenjoey Road, where the driveway meets the street.	Complies.
Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.	Proposed step stone pathway is adjacent to a large rock feature and designed to direct visitors to the entry of the dwelling, which is clearly marked through well-articulated design.	Complies.
<b>C1.3 View Sharing</b>		
<p><b>Controls</b></p> <p>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p>	<p>The steep slope of the site allows for the proposed dwelling, and neighbouring properties to have equitable access to views. Neighbours to the rear (138, 140, 142 and 144 Pacific Road) are positioned higher on the slope, allowing views to overlook proposed roofline. Additionally, the new dwelling will be below the canopy of the row of trees along the rear boundary and therefore the new dwelling will not be readily viewed from the rear properties.</p>	<p>Complies. See sightline drawings for confirmation</p>
Views are not to be obtained at the expense of native vegetation.	<p>If applying the principles of Tenacity, the proposed dwelling will maintain the significant portions of the existing views (waterways) in a development that complies with the fundamental planning controls for the site.</p> <p>Proposed dwelling has been designed to accommodate natural vegetation, only trees in poor health and lesser significance will be removed.</p>	Complies.

<b>C1.4 Solar Access</b>		
<p><b>Controls</b></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>Windows to the principal living area 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.</p> <p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</p>	<p>Solar access to west-facing windows of neighbouring properties is not affected by the proposal given the slope of the site and positioning of the subject dwelling.</p>	<p>Complies.</p>
	<p>The site has an east-west orientation. The dwelling has been designed to maximise solar access to the living areas by incorporating glazing to the front elevation that allow light to reach interior living spaces.</p>	<p>Complies.</p>
	<p>Well positioned to ensure adequate levels of solar access.</p>	<p>Complies.</p>
<b>C1.5 Visual Privacy</b>		
<p><b>Controls</b></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.</p> <p>Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.</p>	<p>Proposed living spaces are situated more than 9m away. Private open spaces are protected by 'webnet' (a steel wire net), vertical timber battens and metal wires for creeping plants to ensure privacy.</p>	<p>Complies.</p>
	<p>The proposed elevated deck is located at the front of the dwelling (overlooking Barrenjoey Road) and includes timber battens and metal wires for creeping plants to ensure high levels of visual privacy.</p>	<p>Complies.</p>

<b>C1.6 Acoustic Privacy</b>		
<p><b>Controls</b></p> <p>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.</p>	<p>Proposed bedrooms are located to the southern end of the dwelling, away from the main road and parking areas. Both bedrooms however are adjoined and only accessible by a private sitting deck.</p>	<p>Complies.</p>
<b>C1.7 Private Open Space</b>		
<p><b>Controls</b></p> <p>Minimum 80m<sup>2</sup> 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.</p>	<p>Proposed dwelling has total of 95.6m<sup>2</sup> of private open space located on the front deck alone, being 19.2m wide (the entire width of dwelling), and 4.8m long. Location is determined to reduce overlooking from eastern (rear) neighbours due to the steep slope of the site.</p>	<p>Complies. All other private open spaces to the front of the dwelling.</p>
<p>Within the private open space area, a minimum principal area of 16m<sup>2</sup> with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</p>	<p>Main proposed private open space as area of 95.6m<sup>2</sup>, and a minimum dimension of 4.8m. This has no grading, as it is located on the front deck of the dwelling.</p>	<p>Complies.</p>
<p>Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.</p>	<p>Proposed main private open space is accessible from all rooms which encourages indoor/outdoor living.</p>	<p>Complies.</p>
<p>Private open space should be located to the rear of the dwelling and should be screened to maximise privacy for occupants.</p>	<p>Proposed private open space is located at the front of the dwelling to reduce overlooking from eastern (rear) neighbours due to the steep slope of the site and is screened with 'webnet', timber battens and metal wires with creeping vegetation.</p>	<p>Complies with intent.</p>

<b>C1.10 Building Facades</b>		
<p><b>Controls</b></p> <p>Building facades to any public place including balconies and car-park entry points must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.</p>	<p>Proposed dwellings façade does not contain any service-related infrastructure that can be visible from a public place.</p>	<p>Complies.</p>
<b>C1.12 Waste and Recycling Facilities</b>		
<p><b>Controls</b></p> <p>All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.</p>	<p>A waste management plan is submitted as part of the application for the demolition and construction phase of the proposal.</p> <p>The dwelling will be provided with general waste and recyclable waste facilities.</p>	<p>Complies.</p>
<b>C1.13 Pollution Control</b>		
<p><b>Controls</b></p> <p>Residential development must be designed, constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.</p>	<p>All proposed works will comply with the Protection of the Environment Operations Act 1997 throughout demolition and construction stages.</p>	<p>Complies.</p>
<b>Section D – Locality Specific Development Controls</b>		
<b>D12 – Palm Beach Locality</b>		
<b>D12.1 Character as viewed from a public space</b>		
<p><b>Controls</b></p> <p>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)</p>	<p>Proposed dwelling does not front Barrenjoey Road, it is positioned behind two existing buildings (1108 &amp; 1102 Barrenjoey Road), and a row of 5-6m high dense hedging on the grass bank.</p> <p>Views of the dwelling will not</p>	<p>Complies.</p>

that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.	dominate the streetscape. The dwelling is low in height, is not bulky and is appropriately articulated using lightweight materials with natural tones.	
Any building facade to a public place must incorporate at least two design features	Proposed façade contains an open deep verandah, with a covered awning above.	Complies.
Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.	Proposed dwelling will be surrounded by existing canopy trees, and well-articulated vegetation with integrated with the building.	Complies.
<b>D12.2 Scenic Protection - General</b>		
<b>Controls</b> Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	Proposed dwelling will have minimal impact when viewed from public domain, as it is positioned behind two existing buildings and mature vegetation.	Complies.
<b>D12.3 Building Colours and Materials</b>		
<b>Controls</b> External colours and materials shall be dark and earthy tones.	External colours will be earthy, refer to attached external finishes and materials list.	Complies.
<b>D12.5 Front Building Line</b>		
<b>Controls</b> Land zoned R2 Low Density Residential or E4 Environmental Living adjoining Barrenjoey Road: 10m or established building line, whichever is the greater.	Proposed dwelling is set well back from the street.	Complies.
Built structures, other than	No structures will be constructed	Complies.

driveways, fences and retaining walls are not permitted within the front building setback.	within front setback.	
<b>D12.6 Side and Rear Building Line</b>		
<b>Controls</b> Land zoned R2 Low Density Residential or E4 Environmental Living: <ul style="list-style-type: none"> <li>2.5 to at least one side; 1.0 for other side</li> <li>6.5 (rear) unless Foreshore Building Line applies</li> </ul>	Minimum side setback: approx. 4m.  Site not within Foreshore building line, rear setback: approx. 4m. The slight rear setback encroachment is to ensure that the building is positioned further away from the Port Jackson Fig which is to be retained and protected. This will have no impact to the neighbouring properties.	Complies with intent.
<b>D12.10 Landscaped Area - Environmentally Sensitive Land</b>		
<b>Controls</b> The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.	Proposed site within the E4 zone and contains a total landscaped area of 795.2m <sup>2</sup> (approx. 70% of site area).	Complies.
<b>D12.11 Fences</b>		
<b>Controls</b> a. Front fence 1m high (max)  b. Rear fences and side fences (to the front building line)  Fencing is permitted along the rear and side boundaries (other than within the front building setback) to a maximum height of 1.8 metres.	No fencing will be provided. Existing front fence is retained to the hotel in front of the site. The provision of side and rear fencing is not visually desirable in this natural environment. The control does not insist upon fencing being provided. This is to ensure that the value of natural landscape and wildlife friendly environment across the entire site is maintained. This also encourages connection between lots and enhances the sense of community.	Complies.  Complies.
<b>D12.13 Construction, retaining walls, terracing and undercroft areas</b>		
<b>Controls</b> Lightweight construction and	Proposed dwelling utilises lightweight	Complies.

<p>pier and beam footings should be used in environmentally sensitive areas.</p>	<p>construction through pier footings and timber beams allowing the dwelling to sit elevated above the site, not cutting into it.</p>	
<p>In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.</p>	<p>Outdoor deck at front of the site is constructed from timber decking elevated above the site, no cut and fill required for construction.</p>	<p>Complies.</p>
<p>Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.</p>	<p>Undercroft area will be screened by vertical steel wires for creeping plants and will have a maximum height of 3.5m.</p>	<p>Complies.</p>

## 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 emerging character of the locality, and provides high quality architectural detailing that will enhance the character of the area. The design, layout and siting of the development respects the streetscape character and environmental amenity of the area.

### Relationship to adjoining development

Adjoining site's solar access will be maintained by the proposed dwelling. In addition, 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) Suitability of the Site

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 Environmental Living E4 Zone under Pittwater LEP 2014;
- The appearance, materials and finishes of the proposed development fit comfortably within the streetscape and are consistent with bulk and scale of surrounding development; and,
- The proposed development does not have any significant adverse environmental impacts in relation to the adjoining bushland reserve and 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 dwelling is comparable, if not consistent in character, bulk, roof form, materials, setbacks and scale with other adjoining and surrounding development in the locality. The proposal is consistent with the planning objectives for the E4 Environmental Living zone pursuant to the Pittwater Local Environmental Plan 2014.

In addition, the proposal has been designed responsively and sympathetically to the topography so as not to unduly impact on the low-density residential area. The resultant built form is considered compatible with development in the immediate neighbourhood, particularly with properties fronting Barrenjoey Road.

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

- Pittwater Local Environmental Plan 2014 (LEP 2014);
- Pittwater Development Control Plan (DCP).

The proposed new dwelling has the following merits:

- The development will allow for very good amenity on the site. The new dwelling will be spacious, and be provided with ample natural lighting and access between internal and external living areas.
- The form of development will set a desirable precedent in a low-key contemporary design that has natural materiality and tones.
- The scale of the dwelling is reflective of the slope of the land and commensurate with building design and composition of adjoining allotments.
- The resultant dwelling has been designed to a high architectural standard.
- The site will provide well considered areas of landscaping, with consideration to the bushland qualities of the area.
- The amenity of neighbours to the site is not adversely affected by the proposal. Neighbours to the rear will view over this single storey dwelling.

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, subject to appropriate conditions of consent.