

35 Ocean Road, Palm Beach

Statement of Environmental Effects

On behalf of
Bob and Margaret Rose
November 2020



Project Director



Kate Bartlett

Director

27 November 2020

Contributors

Camila Firman

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

Contact

Mecone

Level 12, 179 Elizabeth Street
Sydney, New South Wales 2000

info@mecone.com.au
mecone.com.au

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1 General Information

This Statement of Environmental Effects (SEE) report has been prepared on behalf of *Bob and Margaret Rose* to support a Development Application (DA) to *Northern Beaches Council* (Council) for the alterations and additions to the existing building on the site located at 35 Ocean Road, Palm Beach (the site).

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents.

Specifically, the SEE includes the following information:

- Description of the site in its local and regional context;
- Identification of the proposed works;
- Assessment of the project against Council's controls and policies;
- Assessment of all environmental impacts of the project; and
- Identification of measures for minimising or managing the potential environmental impacts.

Ferrarin Consulting Services on behalf *Bob and Margaret Rose* of have calculated the cost of development for the proposal to be \$569,800 (incl GST). Refer to **Appendix 2** for the Cost Estimate of the proposed.

The SEE is also supported by the following environmental assessment reports and management plans, which are provided separately;

- **Appendix 1.** Site Survey Plan
- **Appendix 2.** QS Report
- **Appendix 3.** Architectural Plans
- **Appendix 4.** BASIX Certificate
- **Appendix 5.** Landscape Plans
- **Appendix 6.** Notification Plans
- **Appendix 7.** Heritage Impact Statement
- **Appendix 8.** DCP Compliance Assessment
- **Appendix 9.** Clause 4.6 Variation to Development Standard - Height

1.1 Project Team

The Development Application and SEE Report have been prepared on behalf of the applicant, *Bob and Margaret Rose*.

Table 1. Project Team	
Item	Description
Urban Planning Assessment	Mecone NSW Pty Ltd
Architect	Rose Architectural Design

Table 1. Project Team

Item	Description
Surveyor	Veris Australia Pty Ltd
QS	Ferrarin Consultanncy Services
Heritage	John Oultram Heritage and Design

2 The Site

2.1 Site Location

The site is located at 35 Ocean Road, Palm Beach and is legally known as Lot 85 DP6746. The site is rectangular in shape and approximately 1,312.3m² in size. The site comprises an approximate 20m primary street frontage to Ocean Road on the northern boundary, which adjoins Palm Beach within the Northern Beaches Local Government Area (LGA).

The site is presently developed as a residential dwelling. The site is bound by Palm Beach to the north east, residential dwelling with large private garden to the east, Wiltshire Park to the South and west. The context of the surrounding locality is residential dwellings (ranging from 1 to 3 storeys in height as a result of the sloping terrain) and Palm Beach.

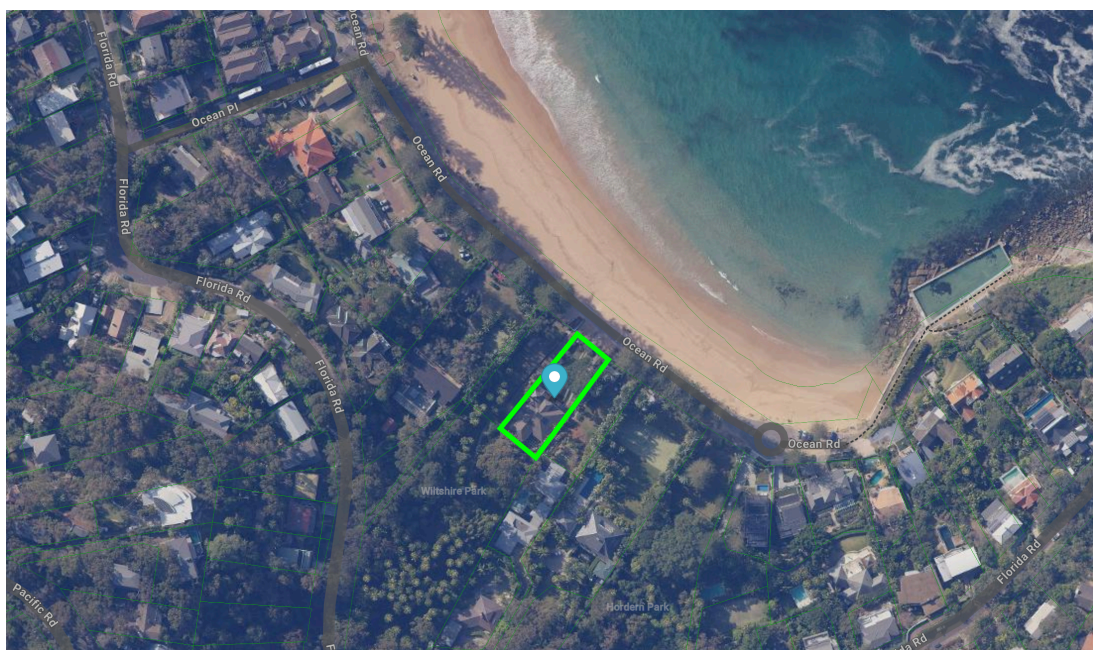


Figure 1. Site Aerial
Source: Mecone MOSAIC

2.2 Site Description

Table 2 provides the legal description, and a brief summary of the site and surrounding context. In addition, a survey plan of the site is provided at **Appendix 1**.

Table 2. Site Description	
Item	Description
Legal Description	Lot 85, DP 6746
Total Area	1,312.3m ²
Street Frontage	<ul style="list-style-type: none">• 20.115m to front boundary (Ocean Road);• 22.94m to rear boundary;• 60.96m to northern boundary; and

Table 2. Site Description

Item	Description
	<ul style="list-style-type: none"> 61.025m to southern boundary
Site Description	<p>The site is located on the western side of Ocean Road, amongst a number of houses that line the south-western side of the street. The heritage listed Wiltshire Park is adjacent to the site.</p> <p>The site, currently occupied by a freestanding double storey weatherboard dwelling with basement garage, is setback from Ocean Road on a lightly elevated site. Ocean Street fronts Palm Beach with the Palm Beach SLCS and beachside pavilion a short walk westward.</p>
Previous uses	The site has been historically used for residential uses.
Surrounding Context	The adjoining properties are occupied by low density private residential dwellings on sloped sites. The heritage listed Wiltshire Park is adjacent to the site.
Public Transport	Bus stops are located along Ocean Road, a 210m (3 minute) walk north west of the subject site along Ocean Road. The bus routes 190X and 199 which service journeys Palm beach to City Wynyard and Palm Beach to Manly.

A detailed site analysis plan is provided at **Appendix 3** within the architectural design plans.

The site's surrounding development context is presented in the following figures.



Figure 2. Eastern elevation from Ocean Road.

Source: Google Maps



Figure 3. Northern elevation from Wiltshire Park.
Source: *Rose Architectural Design*



Figure 4. Northern Elevation from Ocean Road.
Source: *Google Maps*

3 The Proposal

3.1 Development Summary

Rose Architectural Design have provided the design for the proposed development. The relevant architectural plans prepared by Rose Architectural Design are found at **Appendix 3**. The following should be read in conjunction with the plans that accompany this Application.

The proposal is for modest works to the building to enable its owners to continue to live there with a high standard of amenity as they grow older.

In essence, the proposed works include;

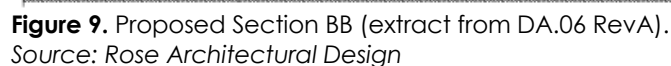
- Cut back to existing balcony on northern boundary and installation of a passenger shaft and lift on the northern elevation for ease of access to all floors;
- Alterations to the roof to accommodate the new lift and overrun;
- Proposed enclosure of balcony (7.6m²) to accommodate hallway for access to the proposed lift;
- Associated external works to match existing façade materiality;
- Relocation of existing timber framed stair on northern elevation; and
- Enclosure of the existing timber deck on the first floor to accommodate extension to the existing sunroom. This will include the extension of the existing copper roof, raked ceiling and removal of an existing internal wall, installation of two (2) sliding doors and relocation of the weather vane centrally.

Ferrarin Consultancy Services, on behalf of Bob and Margaret Rose has calculated the cost of development for the proposal to be \$569,800 (incl GST) for the works.

Refer to **Appendix 3** for detailed Architectural Plans of the proposed development.



Figure 5. Proposed eastern elevation (extract from DA.06 RevA).
Source: Rose Architectural Design



3.2 Built Form

Located on the south-western side of Ocean Road, the subject site is currently occupied by a large, modern two-storey weatherboard house on concrete foundations, described as 'modern plantation' with asymmetrical massing. The house is setback from the street on a highly elevated site and accessed by steps set in the lawn leading to the front entrance.

The site which slopes to the east, contains landscaped grounds with substantial setback from the front boundary. The existing dwelling was constructed in 2003 and presents a large square pitched main roof with projecting gables and large dormers, balconies enclosed with plantation shutters and multi pane sash windows.

The proposed seeks to conduct alterations and additions to the existing building to enclose of the existing timber deck on the first floor to accommodate extension to the existing sunroom and installation of a passenger shaft and lift on the northern elevation to enable the owners to continue to live there with a high standard of amenity as they grow older.

The building is not heritage listed; however, is located within a Heritage Conservation Area. The proposal ensures the appropriate visual relationship with adjoining developments and those within the Heritage Conservation Area.

Further, the additions have been carefully designed to respond appropriately to the surrounding area through the incorporation and maintenance of appropriate materials, massing, horizontal and vertical articulation. The proposed works will be minimally visible from the public domain, with established landscaping and vegetation obscuring much of the proposed works.

Overall, the proposed alterations and additions, located to the existing sunroom and at the western side of the property, will not only improve the usability and internal enmity of the dwelling, it will ensure minimal visibility from the streetscape or adjoining properties. the development demonstrates how the proposed additions can be successfully integrated to provide a positive built form outcome that is sympathetic to not only the existing dwelling on site but also the heritage items in the vicinity and Heritage Conservation as a whole.

3.3 Façade, Materials and Finishes

The proposed alterations and additions have incorporated sympathetic and consistent materials and finishes into the additional works, which respond appropriately to materiality to the existing residential dwelling as well as the context of the area and surrounds. The design embraces the significant façade of the existing dwelling with new additions of the same or complementary material and colour to the colour, finishes and proportion of the existing materials on the building and are sympathetic to the character and heritage of the buildings within the Heritage Conservation Area. The façade remains articulated and is defined by a strong weatherboard character that is neutral in colour which is consistent with the surrounding context.

Full details of the materials and finishes proposed for the development are provided in the Architectural Plans provided in **Appendix 3**. While an extract from the plans is provided in the figure below.

4 Planning Assessment

Mecone has undertaken an assessment of the proposal against the relevant planning and environmental legislation and guidelines to identify potential environmental impacts and mitigation measures. The potential environmental impacts and their mitigation measures are discussed below.

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act 1979**) and should be read in conjunction with information annexed to this report as outlined in the Table of Content.

4.1 State Environmental Planning Policy (Coastal Management)

The State policy for coastal management is contained within the *State Environmental Planning Policy (Coastal Management) 2018* (Coastal SEPP). This Coastal SEPP is the primary environmental planning instrument that sets the land use planning framework for coastal management and ensures implementation of the planning objectives of the proposed *Coastal Management Act* in NSW.

The Coastal SEPP outlines the objectives specific to each of the four (4) management areas as identified in the Coastal Management Act. The site is identified as within a Coastal Environment Area and Coastal Use Area under the Coastal SEPP.

4.1.1 Coastal Environment Area

The coastal environment area is characterised by natural coastal features such as beaches, rock platforms, coastal lakes and lagoons and undeveloped headlands. Marine and estuarine waters are also included.

Division 3 Clause 13 stipulates that development consent must not be granted to development on land that is within a coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following;

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

The proposed alterations and additions will not impact the integrity and resilience of the biophysical, hydrological (surface and ground water) and ecological environment on site. The proposed works will maintain the existing landscaping on site and with only some modest works associated with 'make-good' after the construction.

(b) coastal environmental values and natural coastal processes,

The proposed alterations and additions are isolated to the rest of the site and significantly setback and elevated above the front boundary. It is considered that the proposed works, which will not significantly alter the approved and existing floorplate, will cause negligible impacts to the coastal environmental values and natural coastal processes in comparison to the existing development on site.

(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

The proposed alterations and additions are considered modest in nature and will not impact upon the existing water quality of the marine estate, nor will it result in result in any impacts to sensitive coastal lakes that may be in the vicinity of the site.

(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,

The proposed development includes significant setbacks from Palm Beach and the front boundary. The alterations and additions are isolated to the sunroom on the first floor and to the proposed area on the western rear corner of the existing development. Modest alterations and additions to the floorplate will be required to accommodate the lift. This addition will not require the removal of any significant vegetation. Further, the proposed modest works will not impact on the marine vegetation, native vegetation as existing on the site, the flora and fauna and their associated habitats on site or any headlands or rock platforms. on site

(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed works will not impact the existing public open space, safe access to and along the foreshore, beach, headlands for the public. All works are contained within private property boundaries.

(f) Aboriginal cultural heritage, practices and places,

The proposed works will not impact any cultural heritage, practices or places on site or in the vicinity of the subject site.

(g) the use of the surf zone.

The proposed works will not impact the use of the surf zone.

Overall, the proposed alterations and additions have been carefully designed, sited and integrated into the existing built form to mitigate and manage any potential adverse impacts on site.

4.1.2 Coastal Use Area

The coastal use area is land adjacent to coastal waters, estuaries and coastal lakes and lagoons. Division 4 Clause 14 stipulates that development consent must not be granted to development on land that is within the coastal use area unless the consent authority;

(a) has considered whether the proposed development is likely to cause an adverse impact on the following—

(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed works will not impact the existing public open space, safe access to and along the foreshore, beach, headlands for the public. All works are contained within private property boundaries.

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,

The proposed development will not result in any additional overshadowing to neighbouring sites. The proposed extent of overshadowing will fall over the existing residential dwelling resulting in no additional impacts compared to the existing.

(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

The proposed alterations and additions will not impact the visual amenity and scenic qualities of the coast, including coastal headlands. The

proposed works are at minimum setback approximately 33m from Ocean Road.

(iv) Aboriginal cultural heritage, practices and places,

The proposed works will not impact any cultural heritage, practices or places on site or in the vicinity of the subject site.

(v) cultural and built environment heritage, and

The subject site is not listed as a Heritage Item. The site is, however, located in the *Ocean Road Heritage Conservation Area*. The proposed works will not impact to the cultural and built environment heritage in the vicinity of the subject site. This application is supported by a *Heritage Impact Statement* in **Appendix 7** Also refer to **Section 5.4** of the SEE for detailed discussion.

Overall, the proposed alterations and additions have been carefully designed, sited, integrated and managed to mitigate and manage any potential adverse impacts on the subject site or those in the vicinity of the site. Further, the application has taken into account the surrounding coastal and built environment including the bulk, scale and size of the proposed development.

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

The Building Sustainability Index (BASIX) was introduced to deliver equitable water and greenhouse gas reductions across the state. It sets water and energy reduction targets for new houses and units, and ensures a consistent and successful implementation of targets by overriding competing provisions in other environmental planning instruments and development controls. A BASIX assessment is provided in **Appendix 4** and demonstrates compliance with the minimum requirements.

4.3 NBC Flood Hazard Map

The *Northern Beaches Council Flood Hazard Map* (**Figure 10**) identifies that part of the site along the western boundary is subject to medium and low risk flood hazards. The location of the proposed work is situated outside of the flood zones.

The proposed work will not affect existing boundary retaining walls or boundary condition. The lift is located within an existing sunken courtyard with existing contiguous piled walls along boundary. There is therefore no impact on the existing site condition from proposed works.

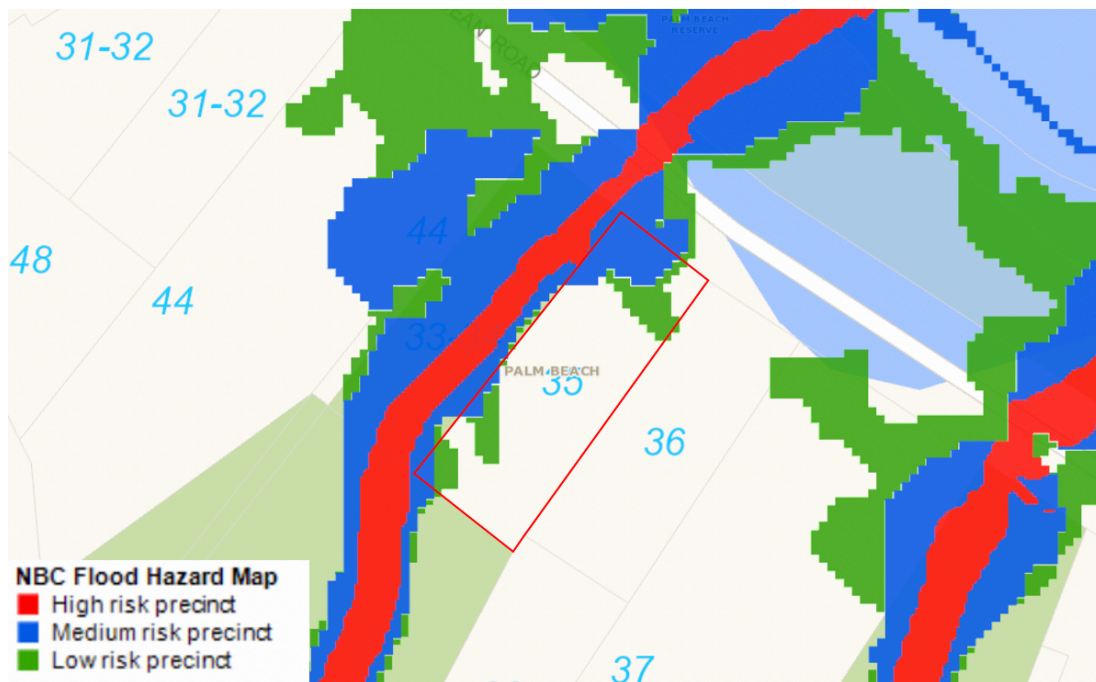


Figure 10. Northern Beaches Flood Hazard Map.
 Source: NB Council

4.4 Pittwater Local Environmental Plan 2014

The *Pittwater Local Environmental Plan 2014 (PLEP2014)* is the primary local planning instrument applying to the site. The table below provides a summary of the key development standards that apply to the site under the PLEP2014.

Table 3. Summary of Key Controls under the Pittwater Local Environmental Plan 2014

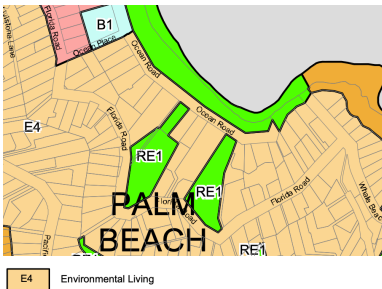
Control	Details	Compliance
2.1 Zoning	<p>The site is zoned as E4 Environmental Living</p>  <p>Objectives of zone</p> <ul style="list-style-type: none"> • To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values. • To ensure that residential development does not have an adverse effect on those values. • To provide for residential development of a low density and 	<p>Complies</p> <p>The proposed works retain the existing residential use which is permitted in this zone.</p>

Table 3. Summary of Key Controls under the Pittwater Local Environmental Plan 2014

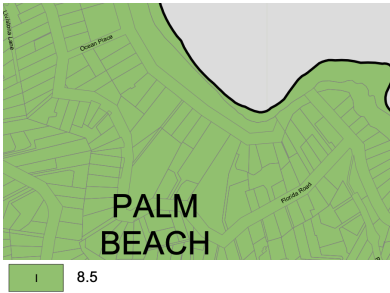
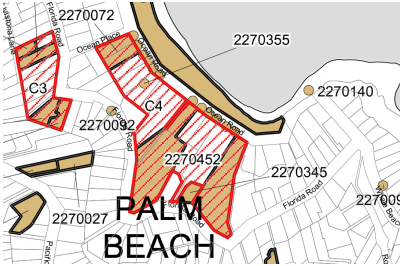
	<p>scale integrated with the landform and landscape.</p> <ul style="list-style-type: none"> • To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors. 	
2.7 <i>Demolition</i>	The demolition of a building or work may be carried out only with development consent.	Noted
4.3 height of <i>Buildings</i>	<p>The maximum height permissible on site is 8.5m.</p> 	<p>Non – Compliance</p> <p>The drawings demonstrate that part of the sunroom pitched roof exceeds the 8.5m control by approx. 630mm only.</p> <p>The passenger lift is under the 8.5m height control when using the ground line along the North Western boundary.</p> <p>These works are considered consistent and sympathetic to the existing house and the surrounding developments in the vicinity of the site. The proposed installation of the lift improve the internal amenity and accessibility for the owners, whilst not creating any additional amenity impacts to neighbours.</p> <p>This application is accompanied by a Clause 4.6 Height Variation Request in Appendix 9.</p>
4.4 Floor <i>Space Ratio</i>	No Floor Space Ratio (FSR) control is identified on the subject site.	Noted
5.10 Heritage <i>Conservation</i>	<p>The subject site is not identified as a heritage item. The site is however, located within the Ocean Road Heritage Conservation Area and located in proximity of heritage items.</p> 	<p>Complies</p> <p>The subject site is not listed as a Heritage Item. The site is it located in the Ocean Road Heritage Conservation Area. Accordingly, a Heritage Impact Statement has been prepared and is attached in Appendix 7. Refer to Section 5.4 of the SEE for detailed discussion.</p>

Table 3. Summary of Key Controls under the Pittwater Local Environmental Plan 2014





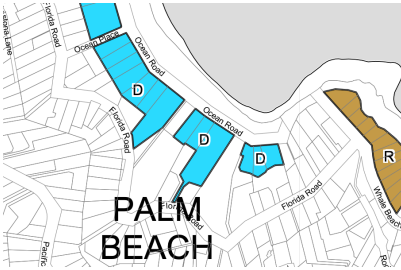
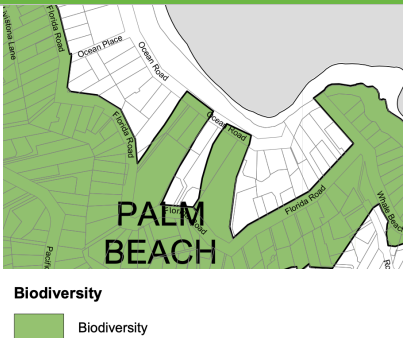
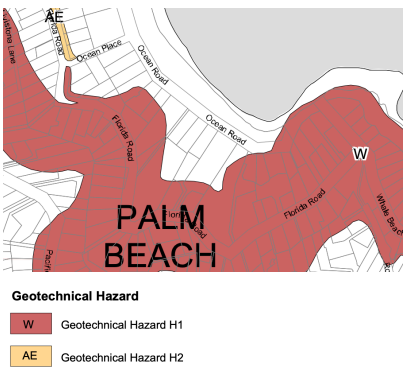

	<p>Heritage</p> <ul style="list-style-type: none">  Conservation Area - General  Item - General  Item - Archaeological 	
7.1 Acid Sulfate Soils	<p>The site is identified as exhibiting Class 4 and 5 Acid Sulfate Soils.</p>  <p>4 Class 4 5 Class 5</p>	<p>Complies</p> <p>The works propose no excavation on site. No acid sulfate soils will be impacted.</p>
7.5 Coastal Risk Planning	<p>The site is identified as within a wave inundation coastline hazard area.</p>  <p>Coastline Hazard</p> <ul style="list-style-type: none"> D Wave Inundation I Coastal Erosion/Wave Inundation R Bluff/Cliff Instability 	<p>Complies</p> <p>The lift RL at the lowest point will be 170mm lower than the existing carpark level at RL. 4.530. The existing Pavilion is the lowest existing structure on the site and has an RL of 3.830 which is 700mm below the level of the proposed lift. Further the Pavilion is setback from front beach facing boundary by 2.5m whilst the lift is setback 50m from same boundary. The Pavilion level was derived from a <i>Coastal Management Study</i> as lodged in 2002.</p> <p>The proposed works demonstrate that all floor levels, including those of existing components of the development, are at or above the Coastline Planning Level (CPL), or raised to the Coastline Planning Level and/or all development (existing and proposed) is landward of the 100 year Coastline Management Line (CML).</p>
7.6 Biodiversity	<p>The site is identified as within a biodiversity area.</p>	<p>Complies</p> <p>The site is identified on the Terrestrial Biodiversity Map under the PLEP2014. The proposed works will retain the existing landscaping on site. No trees will be removed as a</p>

Table 3. Summary of Key Controls under the Pittwater Local Environmental Plan 2014

	 <p>Biodiversity</p> <p>■ Biodiversity</p>	<p>result of the works and therefore it is considered that the application maintains the existing biodiversity contribution to the area. The Coastal Management SEPP has been addressed in detail in Section 4.1 of the SEE.</p>
7.7 Geotechnical Hazard	<p>The site is not identified as exhibiting geotechnical hazards.</p>  <p>Geotechnical Hazard</p> <p>■ W Geotechnical Hazard H1</p> <p>■ AE Geotechnical Hazard H2</p>	<p>Complies</p> <p>The subject site is not located within a site exhibiting a geotechnical hazard. Further, the proposed works are modest alterations and additions associated with the installation of a lift shaft and enclosure of a balcony and therefore will not require significant excavation on site or pose any risk to the geological stability of the site.</p>
7.8 Development on the foreshore area	<p>Foreshore building line</p>  <p>Foreshore Building Line</p> <p>— Foreshore Building Line</p>	<p>Complies</p> <p>The proposed extent of the DA including landscaping and making good lie outside of the foreshore building line area. The foreshore building line has been carefully and clearly indicated on the Architectural Plans in Appendix 3.</p>

4.5 Pittwater 21 Development Control Plan

The *Pittwater 21 Development Control Plan* (P21DCP) is the primary Development Control Plan that applies to the site and sets out the core controls for the site. An assessment against the relevant development controls applying to the site has been completed and attached in **Appendix 8**. A summary of the key issues is provided below.

4.5.1 Palm Beach Locality

The subject site is located within the Palm Beach Locality. Relative to the site, the statement recognises that Palm Beach is characterised as 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.

Consistent with the objectives of the DCP, the works will not alter the existing approved use, density or the dwellings sympathetic contribution to the locality. Further, the works will also not alter the dwelling's portrayal as two storey dwelling from the public domain or neighbouring properties. The proposed alterations and additions are sought to improve the internal amenity and accessibility of site for the residents as so they can age in place whilst designing around the natural constraints of the site. All building materials for the proposed works will match and complement the existing built and natural environment.

4.5.2 Character as viewed from a Public Place

The proposed works comply with the provisions and objectives stipulated in D12.1 relating to the Palm Beach Locality and character as viewed for the public domain. The proposed modest alterations and additions will not significantly alter the existing built form as viewed from the public domain. The proposed passenger shaft works are isolated to the rear of the site which will be obscured by established trees on site and within Wiltshire Park. Any additional elements that are visible from the public domain are considered minimal and sympathetic with the spatial characteristics of the existing built and natural environment whilst maintaining a two storey appearance. The materiality of the proposed deck enclosure works will match the existing materials and finishes on site.

4.5.3 Siting, Scale and Setbacks

D12.5 and D12.6 outline the building line controls applicable to the locality. The proposed alterations and additions will not alter the existing front building line as approved. The deck enclosure will not protrude further into the front building line or established setback.

D12.6 relates specifically to side and rear building lines. The DCP requires that the dwelling must accommodate a 2.5m setback to one side of a dwelling with a 1m setback on the other side. The proposed passenger shaft works are isolated to the western elevation and therefore will maintain the eastern 2.11m to 2.77m setback on the eastern side elevation. The western elevation currently comprises a setback from the deck of 2m to 2.11m. The proposed additional works will maintain the existing setback along the majority of this elevation with only the passenger shaft area resulting in a setback of 1m from the western elevation. It is therefore considered that these proposed setbacks are compliant with the controls.

4.5.4 Building Envelope

D12.8 of the DCP relates to the projected 45-degree plane from a height of 3.5m above ground level existing at the site boundaries to the maximum building height. As demonstrated in the Architectural Plans in **Appendix 3**, the scheme exhibits a non-compliance with the 45-degree plane building envelope control. The exceedance is isolated to the areas of the of the proposed sunroom and passenger shaft.

The passenger shaft is situated behind the bulk of the existing dwelling, which will remain largely unchanged from the existing, and obscured by the existing established vegetation. The exceedance associated with enclosure of the front balcony is isolated to the extension of the copper roof with no change to the existing setbacks or deck size. The exceedance is also a result of the topography of the site, with the existing building situated on a slope of approximately 15% or 7 degrees towards Ocean Road.

Though the envelope exceeds the provision, the proposal is considered consistent with the objectives of Clause D12.8 of the DCP with the works being carefully designed to contain the majority of works to the rear of the site or within the existing setbacks

and largely obscured by established vegetation. This assists in controlling the bulk of the addition when viewed from the public domain and in turn preserves the amenity and aesthetic of the heritage conservation area. Further, these modest works are considered suitable for the site, improving the internal usability and accessibility for the residents so they can age in place whilst having negligible impact to the existing structures within the site or on adjacent properties in terms of amenity and overshadowing.

Overall, it is considered that the works responds to and sensitively relates to spatial characteristics of the existing built and natural environment and therefore should be considered within the site-specific context.

4.5.5 Lift Over-Run

Clause C1.25 outlines controls in relation to plant, equipment boxes and lift overruns. The lift overrun has been integrated as much as possible internally into the design fabric of the built form of the building and below the existing ridge line. Further, the lift overrun has been designed to aesthetically integrate into the existing built form with banks of dense planting obscuring the lift from Wiltshire Park to the north. Despite the non-compliance with the building envelope controls, as discussed in Section 4.5.3 of the SEE above, it is considered that the proposed works are consistent with the objectives of the control in that they maintains the desired future character of the locality, minimisation of the proposed bulk and scale of the works whilst enabling the equitable preservation of views and vistas to and or from public domain. Therefore, the proposed works should be considered within the site-specific context.

5 Environmental Assessment

Mecone has undertaken an assessment of the proposal against potential environmental impacts, site suitability and the public interest in accordance with Section 4.15 of the EP & A Act. The potential environmental impacts and their mitigation measures are discussed below.

5.1 Built Form

The proposed alterations and additions to the built form of the existing dwelling are isolated to the rear of the house and to the existing deck, result in minimal and negligible impacts to the presentation of the dwelling to Ocean Road or visibility from adjoining properties or areas of the public domain in the surrounds. The proposed works are intended to enable its owners to continue to live there with a high standard of amenity as they grow older. No visual changes will occur to the eastern or rear elevations.

Rose Group Architects have undertaken extensive work to ensure that the design of the proposed works respond to the topography of the site, relative massing and consistent with the streetscape and surrounds. The proposed works retain the integrity of the existing building as well as all landscaping on site.

Areas of dense planting will obscure the lift from Wiltshire Park to the north. The enclosure of the deck will not alter the size or depth of the area and though it will be visible from Ocean Road, will maintain the significant and deep front setback and will integrate materials and finishes which match the existing on site, therefore preserving the existing appearance of the dwelling when viewed from the public domain.

Overall, it is considered that the proposed development provides a highly desirable development outcome at the site, retains the existing building and ensures that remains sympathetic and consistent with the heritage conservation area and the surrounding built and natural environment.

5.2 Landscaping

The Landscape Plan has been prepared by Rose Architectural Design (**Appendix 5**) which details the existing landscaping works on site. The architectural plans in Appendix outline any. Minor alterations to the timber stairs on the western elevation. The modest addition will not alter the proposed landscaping on site. The proposed development maintains all existing native tree species on site, and private open space which will soften the built form when viewed from the public domain.

5.3 BASIX Certificate

The applicable energy efficiency standards for the development are assessed under the BASIX Certificate. A report has been prepared and is attached in **Appendix 4**. The report confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out in the report.

5.4 Heritage

A Heritage Impact Statement (HIS) has been prepared by John Outram heritage and Design to assess the heritage impacts of the residential alteration and addition on the heritage fabric of the Ocean Road Heritage Conservation Area. The HIS is in **Appendix 7** of the SEE.

The HIS identifies that the subject site;

- Is **not** listed as a heritage item on the State Heritage Register under the auspices of the NSW Heritage Act 1977.
- Is **not** listed as an item of local heritage significance by Schedule 5 of the PLEP2014.
- Is located within the *Ocean Road Heritage Conservation Area* as defined by Schedule 5 of the PLEP2014.
- Is located within the vicinity of the following local heritage items as defined by Schedule 5 PLEP2014:
 - 27-28 Ocean Road, Palm Beach – ‘*Palm Beach Surf Club*’ [2270072] (Local);
 - 21-32 Ocean Road, Palm Beach – ‘*Memorial to Douglass Marks*’ [2270355] (Local); and
 - 33-34 and 38 Ocean Road, Horden Park and Wiltshire Park – ‘*Spotted Gums and Cabbage Tree Palms*’ [2270452] (Local).

The findings of the assessment are summarised below and highlight that the proposal will provide a suitable development outcome that will not have an adverse heritage impact on the *Ocean Road Heritage Conservation Area*. The proposed works relatively minor, will preserve the integrity of the original design as viewed from the public domain, whilst simultaneously integrating sympathetic additions to integrate a lift to improve access for the residents so they can age in place. The proposed works will result in a minor change to the house's exterior built form; however, they will be minimally visible and will not have any significant impacts on the appearance of the house from the public domain.

The proposed alterations and additions will comprise colours and finishes consistent with the existing building and its surrounds and will not present a vastly different building envelope to surrounding buildings. Finally, The HIS concluded that;

- The proposal is relatively minor and respect the existing architectural character of the 2003 building;
- The works will generally not be visible from the street. Where visible, they will have little or no impact on the significance of the heritage items in the vicinity and the surrounding conservation area and are in line with the heritage provisions of the DCP;
- The proposed addition will have minimal impact on the Heritage Conservation Area;
- The proposed works will have no impact on the significance of heritage items in the vicinity of the subject site;
- The proposed works fulfil the objectives for works in the vicinity of heritage items as per PLEP2014 and P21DCP; and
- On heritage terms, we would recommend that the proposals be approved.

5.5 Overshadowing and Amenity Impacts

5.5.1 Overshadowing

The proposed works include alterations and additions to the north western balcony to accommodate a passenger shaft and lift, and enclosure of the northern timber balcony to accommodate an extension to the existing sunroom. The installation of the lift shaft will require modest alterations to the roof to accommodate the new lift and

overrun and the enclosure of the existing timber deck will also require the extension of the existing copper roof to enclose the space.

The proposed additions will create overshadowing compared to the existing built form, however, due to the orientation of the site, all additional overshadowing will fall over the roof of the existing residential dwelling and over areas already overshadowed on the subject site. No additional overshadowing will occur over neighbouring properties.

5.5.2 Views and Privacy

The development is of appropriate height, bulk and scale and consistent with the surrounds. In particular, the dwelling has been carefully sited so that it maximises privacy to its northern neighbor through significant setbacks. The development maintains the deep front setback and as well as the rear and eastern side setback.

The western setbacks, which are compliant with the DCP 1m provision, ensure the proposal will not create any significant amenity impacts with regard to overshadowing, privacy and view loss whilst accomplishing appropriate massing outcomes, consistent with the streetscape when viewed from Ocean Road. The proposed development, which maintains the appearance of a two storey built form, exhibits deep setbacks surrounded by extensive landscaping, will be minimally visible from neighbouring properties and the public domain. The design has been carefully designed with consideration to the natural and existing topography on site.

5.6 Site Suitability

- Is consistent with the objectives of the subject zone;
- The proposal will result in a modest modification to the dwelling that improves the quality of the existing use of the site for residential purposes;
- Is largely consistent with the key planning controls applicable to the site and results in an improved built form and amenity outcome for the residents;
- The proposal provides a high quality architecturally designed addition that retains the majority of the existing building;
- The proposal will be consistent with the bulk and scale of the surrounding development and will be consistent with the relevant height and existing setback provisions;
- The proposed works will not detrimentally impact on the setting or significance of the place;
- The proposal will not result in any adverse impacts on the environment; and
- Does not result in any adverse amenity impacts to the surrounding properties.

5.7 Public Interest

The proposed development is considered to be within the public interest for the following reasons:

- The proposal is consistent with the zone objectives and largely compliant with the controls within the LEP. The height non-compliance is supported by a Section 4.6 variation statement in **Appendix 9**;
- The proposal is consistent with the DCP provisions;
- The proposal will not create any significant amenity impacts with regard to overshadowing, privacy and view loss;

- The proposed materials will be sympathetic to the existing building, heritage listed items in the vicinity of the site and the Heritage Conservation Area;
- The proposal provides a high-quality architectural development respectful of the character of the area;
- The proposed addition is of an appropriate height, bulk and scale and consistent with the surrounds; and
- The proposal will not result on any adverse impacts on the environment or surrounding development.

6 Section 4.15 Compliance

The table below provides a summary assessment of the matters referred to in Section 4.15 of the Act.

Table 4. Section 4.15 Assessment Summary		
Clause No.	Clause	Assessment
(1)	Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a)(i)	The provision of: Any environmental planning instrument, and	Complies The development has been considered in line with the <i>Pittwater Local Environmental Plan 2014</i> and has been shown to be consistent with its provisions. The non-compliance to height is supported by a Clause 4.6 Variation Request attached in Appendix 9 .
(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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Not Applicable
(iii)	Any development control plan, and	Complies The development has been considered against the provisions of the <i>Pittwater 21 DCP</i> and is largely compliant with its controls.
(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	Not Applicable
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Not Applicable
(v)	(repealed)	Not Applicable
	That apply to the land that the development application relates,	
(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,	Complies Section 5 of the SEE reviews the application against the relevant factors.

Table 4. Section 4.15 Assessment Summary

Clause No.	Clause	Assessment
(c)	The suitability of the site for the development,	Complies The site is considered suitable for the development given its existing residential use, its zoning and location.
(d)	Any submissions made in accordance with this Act or the regulations,	To be considered following exhibition.
(e)	The public interest.	The development is considered to be in the public interest and serves to be sympathetic to the local context, and surrounding area. The proposal will maintain the existing landscaping on site.

7 Conclusion

This SEE has been prepared on behalf of Bob and Margaret Rose to support a development application to the Northern Beaches Council for alterations and additions to the existing residential dwelling on site valued at \$569,800 (incl GST).

This statement describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

The proposed modest alterations and additions will improve the internal amenity and layout of the dwelling to enable its owners to continue to live there with a high standard of amenity as they grow older. These works will not have any significant environmental impacts, will not change the use or nature of the site and will not substantially change the building fabric.

The proposed alterations and additions comply with the relevant LEP and DCP Controls. The non-compliances with the development standard relating to height are identified throughout the SEE. As a result, a Clause 4.6 variation statement is provided which demonstrates that the proposed works result in continued consistency with the height objectives under the LEP. It is therefore considered they are justified in the circumstances on reasonable environmental planning grounds.

The proposal generally meets the provisions of the DCP, with the exception of minor non compliances. Where minor inconsistencies occur, adequate alternative solutions are provided to ensure an equal or better planning outcome result. Otherwise, it is considered that the proposed works is wholly compliant with the relevant DCP requirements and consistent with its objectives.

A Planning and Environmental Assessment has been undertaken in **Sections 4 and 5** of this report, supported by additional consultant studies as per the requirements of Council. The environmental assessment found the associated impacts of the proposal are considered to be minimal and manageable. Hence, the outcomes of the proposal:

- Is a suitable development for the subject site;
- Responds to the street alignment and the desired built form;
- Provides for and maintains contemporary modern design, which is respectful of the *Heritage Conservation Area*, the existing dwelling on site and responds to the desired future character of the area and;
- Provides adequate visual and acoustic privacy;
- Generates no adverse overshadowing to adjoining properties;
- Has obtained BASIX certification;
- Will deliver a development that is appropriate for its context despite the breaches to the LEP height development standards and therefore has sufficient environmental planning grounds to permit the Clause 4.6 variation;
- Preserves and maintains the existing quantity of landscaping on site to ensure the continued visual character and amenity of the site;
- Is in the public interest;

Therefore, we request that Council recommend that the proposed development be granted development approval.



Level 12, 179 Elizabeth St
Sydney, NSW, 2000

info@mecone.com.au
mecone.com.au