

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

Shop Top Housing  
Development

1102 Barrenjoey Road,  
Palm Beach

# Statement of Environmental Effects

## Shop Top Housing Development

1102 Barrenjoey Road, Palm Beach



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**Attachment 1** Council confirmation of physical commencement – Development Consent N0119/14

**Attachment 2** Clause 4.6 variation request – Height of buildings

## 1 INTRODUCTION

On 13<sup>th</sup> November 2014, development consent was granted to Development Application N0119/14 proposing the demolition of existing structures and construction of a shop top housing development comprising 3 retail tenancies, 4 residential apartments and basement parking. This consent was subsequently physically commenced as confirmed by Council correspondence of 6<sup>th</sup> November 2019 a copy of which is at Attachment 1.

An application seeking to modify this consent (Mod2021/0203) was submitted to Council on 17<sup>th</sup> May 2021 with the modifications seeking a refinement in the architectural detailing of the approved development to provide superior streetscape, residential amenity, heritage conservation and broader urban design outcomes, to enhance buildability and economic viability and to better meet the more contemporary design guidelines contained within the Apartment Design Guide (ADG) as they relate to floor to floor heights, room sizes and layouts.

This modification application was considered by the Northern Beaches Design and Sustainability Advisory Panel (DSAP) at its meeting of 24<sup>th</sup> June 2021 at which time concern was raised in relation to the proposals architectural style, appearance and relationship to the adjoining heritage listed Barrenjoey House with the conclusion that the development was unacceptable and inconsistent with the “seaside village” character anticipated by the Palm Beach Locality Statement. We note that the DSAP minutes also indicated that the same concerns were raised in relation to the previously approved and physically commenced development.

Following further discussions with Council staff in relation to the DSAP minutes and the community concerns raised following the formal notification of the application, the proponent was encouraged to withdraw the application and develop a new scheme responding to the DSAP feedback and incorporating pitched roof forms in favour of the flat roof forms approved pursuant to the existing physically commenced development consent (Development Application N0119/14). The modification application (Mod2021/0203) was subsequent withdrawn.

An alternative concept was prepared and forwarded for pre-lodgement feedback to the DSAP meeting of 26<sup>th</sup> August 2021 with the final design as detailed within this application representing a highly considered response to the feedback received. In this regard, the current proposal incorporates the following design features:

- A 3 storey building incorporating pitched roof forms of a design which is both sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.
- The adoption of a design which relates to the built form proportions, eave levels and control lines of Barrenjoey House whilst maintaining contextually appropriate setbacks.
- The creation of a publicly accessible plaza, open to the sky, at the northern end of the site to facilitate the provision of a feature tree whilst providing broader public benefit in terms of its usage and the maintenance of views to the southern façade of Barrenjoey House.
- The provision of additional landscaping adjacent to the southern boundary of the property where the development interfaces with the adjoining dwelling house.

- The maintenance of a 3 metre setback to the rear boundary of the property.
- The provision of a deep and generously proportioned colonnade adjacent to the frontage of the property including level access to the adjacent commercial tenancies.

We also confirm that the final design detailing has been settled in consultation with Weir Phillips Heritage and Planning with the accompanying Heritage Impact Statement containing the following conclusion:

*The proposed works will have the opportunity to construct of the sympathetically designed modern infill building that supports the ongoing significance of the area as a neighbourhood precinct, will have an acceptable impact on the Barrenjoey House. The proposed new building is contemporary in character but demonstrates respect for the key forms, architectural proportions and materiality of the item.*

*The building demonstrates appropriate setbacks; it is similar in height and scale to Barrenjoey House. Openings are vertically proportioned which represents the vertical articulation of Barrenjoey House. The elevations articulated through to the use of timber verandah posts and modulated gabled roof form. The proposed finishes and colours of timber, masonry and tiles will sit comfortably within the vicinity of Barrenjoey House and other items in the vicinity.*

*The proposed works will have no impact on the ability to understand the significance of the nearby heritage listed items. No significant view corridors will be blocked. The building will read in the setting of nearby items as one of several buildings of a similar massing and scale.*

This submission demonstrates that the development is of exception design quality with the proposal appropriately responding to its immediate built form and heritage context. The resultant development will afford superior levels of amenity for future occupants whilst maintaining appropriate amenity to surrounding development in relation to privacy, views and solar access. The proposed development is sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.

Whilst the application requires the consent authority to give favourable consideration to a clause 4.6 variation request in relation to building height, we consider that such request is well-founded in that it facilitates the development of the site in a manner which provides far superior urban design, heritage conservation, residential amenity and landscape outcomes compared to the development approved and physically commenced pursuant to Development Consent N0119/14. Accordingly, approval of the building height variation will promote good design, the sustainable management of built and cultural heritage and the orderly and economic use and development of the land consistent with objectives 1.3(c) (f) and (g) of the Environmental Planning and Assessment Act 1979 (the Act).

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

- Site survey
- Architectural plans, elevations, sections, shadow diagrams
- Landscape plans

- Heritage Impact Statement
- Traffic and Parking Impact Assessment
- Stormwater / erosion and sediment control plans
- Geotechnical report
- Preliminary Acid Sulfate Soil Investigation
- Waste management plan
- Schedule of finishes
- Floodplain Management Report
- BCA Assessment Report
- Photomontage
- BASIX Assessment Report and Certificate

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

- Environmental Planning and Assessment Act, 1979 (the Act),
- Pittwater Local Environmental Plan 2014 (PLEP),
- Pittwater 21 Development Control Plan (P21DCP),
- State Environmental Planning Policy No 55 – Remediation of Land,
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development,
- State Environmental Planning Policy (Coastal Management) 2018, and
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15(1) of the Act. 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 proposed development is sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.
- The proposal is of exception design quality with the proposal appropriately responding to its immediate built form and heritage context. The resultant development will afford superior levels of amenity for future occupants whilst maintaining appropriate amenity to surrounding development in relation to privacy, views and solar access.
- Whilst the application requires the consent authority to give favourable consideration to a clause 4.6 variation request in relation to building height, we consider that such request is well-founded in that it facilitates the development of the site in a manner which provides far superior urban design, heritage conservation, residential amenity and landscape outcomes

compared to the development approved and physically commenced pursuant to Development Consent N0119/14.

- Accordingly, approval of the building height variation will promote good design, the sustainable management of built and cultural heritage and the orderly and economic use and development of the land consistent with objectives 1.3(c) (f) and (g) of the Environmental Planning and Assessment Act 1979 (the Act).
- The development achieves the design quality principles contained within State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP65) and the objectives and guidelines contained within the Apartment Design Guide (ADG).

Having given due consideration to the matters pursuant to Section 4.15(1) of the Act it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.



## 2 SITE DESCRIPTION AND LOCATION

The Heritage Impact Statement describes the site and its relationship to the adjacent heritage item in the following manner.

*The site is located at 1102 Barrenjoey Road, Palm Beach and is legally described as Lot 11 of Deposited Plan 1207743. The site comprises of a contemporary structure which addresses Barrenjoey Road and has rear views and access to Mckay Reserve. The allotment is situated within B1 – Neighbourhood Centre zoning for mixed-use purposes, i.e., residential and commercial. The subject allotment is of an asymmetrical shape which abuts the neighbouring property at 1108 Barrenjoey Road. The principle-built form consists of a rectangular masonry structure with lightweight additions. The site has a large, paved hardstand area and minimal landscaping. A gravelled parking area extends to the rear (east) of the site.*

*The subject site is not identified as a heritage item of local or other significance. However, it adjoins the locally listed heritage item, “Barrenjoey House”, to the north. “Barrenjoey House” is sited at 1108 Barrenjoey Road and is recognised as item 2270076 in the Pittwater Local Environmental Plan 2014. The subject site also lies within the vicinity of the heritage item 2270037, “Norfolk Island Pines (Arancaria heterophylla)”.*

*The subject site’s setting is characterised by the proximity to Palm Beach, which lies east of the subject site. Importantly, the subject site has significant views to Snapperman Beach with the primary frontage of the allotment facing Pittwater to the west. Barrenjoey Road is a major thoroughfare, extending from Pittwater Road and providing access to the various subject on the peninsula. The Mackay Reserve lies immediately to the east of the subject site with a steep slope to the east.*

*The surrounding built environment features a regular subdivision pattern, narrow allotments with detached dwellings of 1-2 storeys, deep setbacks, manicured gardens, and rear beach views/access. An aerial photograph of the local context is provided as indicated over page, the subject site is indicated in red.*



Figure 1 – Aerial location/ context photograph



Figure 2 – Aerial site photograph





**Figure 3** – Subject property as viewed from opposite side of Barrenjoey Road



**Figure 4** – Subject property as viewed from opposite side of Barrenjoey Road



**Figure 5** – Subject property as viewed from north of site past Barrenjoey House

### 3 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed shop top housing development is depicted on the following architectural plans prepared by Rob Mills Architecture:

ARCHITECTURAL DRAWING LIST		
Sheet No.	Sheet Name	Current Rev.
DA.00	COVER PAGE	A
DA.01	SITE PLAN ANALYSIS	A
DA.02a	MASSING HEIGHT CONTROL	A
DA.02b	MASSING DCP CONTROL	A
DA.03	DEMOLITION PLAN	A
DA.04	PROPOSED SITE PLAN / ROOF PLAN	A
DA.05	PROPOSED BASEMENT PLAN	A
DA.06	PROPOSED GROUND FLOOR PLAN	A
DA.07	PROPOSED FIRST FLOOR PLAN	A
DA.08	PROPOSED SECOND FLOOR PLAN	A
DA.10	PROPOSED WEST ELEVATION	A
DA.11	PROPOSED ELEVATION - NORTH, SOUTH & EAST	A
DA.15	SECTIONS	A
DA.16	SECTIONS	A
DA.50	SHADOW STUDIES_9AM 21ST JUNE	A
DA.51	SHADOW STUDIES_12PM 21ST JUNE	A
DA.52	SHADOW STUDIES_3PM 21ST JUNE	A
DA.60	CURRENT PROPOSED MATERIALS AND FINISHES	A
DA.70	GFA & LANDSCAPE CALCULATIONS	A
DA.72	SOLAR ACCESS ANALYSIS - PROPOSED	A
DA.73	OVERLOOKING ANALYSIS	A
DA.74	NATURAL VENTILATION DIAGRAMS	A

The proposal provides for the following land use and floor plate outcomes:

#### Basement Plan

- Driveway access is provided from Barrenjoey Road to basement car parking accommodation for 21 vehicles incorporating 9 commercial, 10 residential and 2 residential visitor spaces. The basement also incorporates bicycle parking, 5 electric vehicle (EV) charging points, residential storage, commercial and residential bin storage and mechanical plant areas.
- Separate residential and commercial lift and stair access is provided to the levels above.

#### Ground Level Floor Plan

- The existing substation located in the south-western corner of the property is relocated to accommodate the proposed double width driveway entrance.
- This floor plate incorporates 2 x commercial tenancies having a total combined floor area of 387.5m<sup>2</sup>.



- A publicly accessible Plaza is located in the north-western corner of the property with a colonnade providing weather protected outdoor seating adjacent to the commercial tenancies.
- A shared foyer provides disabled access to the rear of the commercial tenancies which are located at the Flood Planning Level (FPL) with bathroom facilities and a residential foyer located towards the rear of this floor plate.

### **Level 1 Floor Plan**

- This floor plate accommodates 1 x 2 and 2 x 3 bedroom apartments. The apartments have open plan kitchen, living and dining areas opening onto west facing terraces. The bedrooms associated with the 3 bedroom apartments open onto rear facing terraces.

### **Level 2 Floor Plan**

- This floor plate accommodates 2 x 4 bedroom apartments. The apartments have open plan kitchen, living and dining areas opening onto west facing terraces. The main bedrooms also open onto west facing terraces.

We confirm that 100% of apartments receive at least 2 hours of direct sunlight between 9am and 3pm in midwinter with 100% of apartments naturally cross ventilated.

The proposal involves the implementation of an enhanced site landscape regime as depicted on the accompanying plans prepared by Fifth Season Landscapes with the use of both at-ground and elevated on-slab planting utilised to soften and screen the edges of the development.

The palette of materials and finishes accompanying the application provides for the use of natural and contemporary building materials and facade treatments as endorsed by the project heritage consultant.

The extent of excavation is addressed within the accompanying geotechnical report prepared by JK Geotechnics with the site deemed suitable for the level of excavation proposed provided the recommendations contained within the report are adopted. No objection is raised to the imposition of a suitably worded condition of consent requiring compliance with the same. The acceptability of the modified car parking layout is detailed in the accompanying Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineering and Road Safety Consultants. All stormwater will be disposed of to the street drainage system as detailed on the accompanying hydraulic plans prepared by Van der meer Consulting.

## 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(1) 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

#### 4.1.1 Zoning

The subject property is zoned B1 Neighbourhood Centre pursuant to Pittwater Local Environmental Plan 2014 (PLEP 2014) with shop top housing permissible with consent in the zone.

The stated objectives of the R3 zone are as follows:

- *To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.*
- *To provide healthy, attractive, vibrant and safe neighbourhood centres.*

Shop top housing is defined as one or more dwellings located above ground floor retail premises or business premises.

The development incorporates dwellings located above ground floor retail premises with all residential apartments located within a single building form. Accordingly, the development as modified is appropriately defined as shop top housing and permissible with consent in the zone.

The proposed development meets the relevant zone objectives given the provision of ground floor retail uses. The height and scale of the development is responsive to context, compatible with that of adjoining development and will not result in unacceptable or jarring residential amenity, streetscape or heritage conservation impacts.

Accordingly, there are no statutory zoning or zone objective impediment to the granting of approval to the proposed development.

#### 4.1.2 Height of Buildings

Pursuant to clause 4.3 PLEP 2014 the height of any building on the land shall not exceed 8.5 metres above ground level (existing) as detailed on the heights of building map. The stated objectives of this clause are:

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired 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 dictionary to the LEP defines building height to mean:

**building height (or height of building)** means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

**ground level (existing)** means the existing level of a site at any point.

An inspection of the property has revealed that ground levels across the site are highly disturbed with levels artificially modified through previous excavation activities. Based on an interpolation of original undisturbed ground levels from available survey information around the perimeter of the property it has been determined that the upper level roof eaves breach the 8.5 metre building height standard by a maximum of 100mm (1.1%) along its southern edge and a maximum of 1 metre (11.7%) along its northern edge with the roof from breaching the height standard along its western edge by between 800mm (9.4%) and 2.99 metres (35%) as depicted on the building height blanket diagram at Figure 1 over page. The balance of the upper level roof form sits comfortably below the 8.5 metre building height standard.





**Figure 6** – Building height diagram showing non-compliant building height elements projecting through the 8.5 metre height blanket.

Clause 4.6 of PLEP 2014 provides a mechanism by which a development standard can be varied. The objectives of this clause are:

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Having regard to these provisions, strict compliance has been found to be unreasonable and unnecessary having regard to the particular circumstances of the case including the ability to satisfy the objectives of the zone and the objectives of the development standard. Sufficient environmental planning grounds exist to support the variation proposed, as outlined in the accompanying clause 4.6 variation request at **Attachment 2**.

#### 4.1.3 Density Controls for Certain Residential Accommodation

Pursuant to clause 4.5A(2) of PLEP 2014 development consent must not be granted to development for the purpose of shop top housing in the B1 Neighbourhood Centre Zone unless development does not have a dwelling density exceeding 1 dwelling per 150m<sup>2</sup> of site area. Based on a site area of 1141.5m<sup>2</sup> a maximum dwelling density of 7 dwellings is prescribed for development on the site.

The modified application proposes 5 dwellings which is compliant with the development standard and accordingly there is no statutory impediment to the granting of consent.

#### 4.1.4 Heritage Conservation

Pursuant to clause 5.10(4) of PLEP 2014 the consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

Further, pursuant to clause 5.10(5) the consent authority may, before granting consent to any development:

*(a) on land on which a heritage item is located, or*

*(b) on land that is within a heritage conservation area, or*

*(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

*require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

The subject property is not heritage listed or located within a heritage conservation area however is located immediately adjacent to the heritage listed Barrenjoey House. In this regard, the final design detailing has been settled in consultation with Weir Phillips Heritage and Planning with the accompanying Heritage Impact Statement containing the following conclusion:

*The proposed works will have the opportunity to construct of the sympathetically designed modern infill building that supports the ongoing significance of the area as a neighbourhood precinct, will have an acceptable impact on the Barrenjoey House. The proposed new building is contemporary in character but demonstrates respect for the key forms, architectural proportions and materiality of the item.*

*The building demonstrates appropriate setbacks; it is similar in height and scale to Barrenjoey House. Openings are vertically proportioned which represents the vertical articulation of Barrenjoey House. The elevations articulated through to the use of timber verandah posts and modulated gabled roof form. The proposed finishes and colours of timber, masonry and tiles will sit comfortably within the vicinity of Barrenjoey House and other items in the vicinity.*

*The proposed works will have no impact on the ability to understand the significance of the nearby heritage listed items. No significant view corridors will be blocked. The building will read in the setting of nearby items as one of several buildings of a similar massing and scale.*

Accordingly, there is no statutory impediment to the granting of consent to the proposed works in this instance.

#### 4.1.5 Acid Sulfate Soils

Pursuant to clause 6.1 PLEP 2014 the site is mapped as Class 5 and to that extent we rely on the findings contained within the accompanying preliminary acid sulphate soil investigations prepared by JK Environments which contains the following conclusions:

Based on the results of the investigation, there is considered to be a low potential for ASS materials (AASS or PASS) to be disturbed during the proposed development described in Section 1.2 of this report. On this basis, an ASSMP is not considered necessary for the proposed development.

JKE note that the eastern portion of the site above the cut-wall was unable to be sampled due to access restrictions. Any organic, peaty or soils containing shell material within this area should be stockpiled separately and inspected by an environmental consultant if encountered during development works.

#### 4.1.6 Flood Planning

Pursuant to clause 7.3 PLEP 2014 the site is identified as being affected by flooding and to that extent is at or below the flood planning level. In this regard, the application is accompanied by a Flood Report prepared by Van der Meer consultants which address the impacts associated with the overland flows from Barrenjoey Road and confirms:

This report has sought to assess the flood risk for the proposed mixed-use development at 1102 Barrenjoey Road, Palm Beach NSW. Whilst the site is impacted by flooding in the 1% AEP and PMF floods, the majority of the proposed development lies outside the extents of flooding. Floor levels and the design of the building frontage means that the development will not be adversely affected by flooding and will not affect 1% AEP flood storage or flood behaviour. The proposed floor levels and basement vehicular access ramp crest level are higher than the Flood Planning Level of 3.2m AHD. The proposed building is to be floodproofed in its structure, materials and utilities connections up to the Flood Planning Level as detailed in this report.

This report demonstrate that the proposal appropriately managed the risk to property and life with regard to potential flood impacts.

#### 4.1.7 Earthworks and geotechnical hazards

In relation to the clause 7.2 and 7.7 PLEP 2014 provisions the extent of excavation is addressed within the accompanying geotechnical report prepared by JK Geotechnics with the site deemed suitable for the level of excavation proposed provided the recommendations contained within the report are adopted. No objection is raised to the imposition of a suitably worded condition of consent requiring compliance with the same.

#### 4.1.8 Biodiversity

Having regard to the clause 7.6 Biodiversity provisions and the highly disturbed nature of the existing allotment we confirm that the proposal does not result in any biodiversity related impacts.

## **4.2 Pittwater 21 Development Control Plan 2013**

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 locality described as:

*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 proposed design is responsive to feedback obtained from the DSAP meeting of 26<sup>th</sup> August 2021 with the final design incorporating the following design features:

- A 3 storey building incorporating pitched roof forms of a design which is both sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.
- The adoption of a design which relates to the built form proportions, eave levels and control lines of Barrenjoey House whilst maintaining contextually appropriate setbacks.
- The creation of a publicly accessible plaza, open to the sky, at the northern end of the site to facilitate the provision of a feature tree whilst providing broader public benefit in terms of its usage and the maintenance of views to the southern façade of Barrenjoey House.
- The provision of additional landscaping adjacent to the southern boundary of the property where the development interfaces with the adjoining dwelling house.
- The maintenance of a 3 metre setback to the rear boundary of the property.
- The provision of a deep and generously proportioned colonnade adjacent to the frontage of the property including level access to the adjacent commercial tenancies.

We also confirm that the final design detailing has been settled in consultation with Weir Phillips Heritage and Planning with the accompanying Heritage Impact Statement containing the following conclusion:

*The proposed works will have the opportunity to construct of the sympathetically designed modern infill building that supports the ongoing significance of the area as a neighbourhood precinct, will have an acceptable impact on the Barrenjoey House. The proposed new building is contemporary in character but demonstrates respect for the key forms, architectural proportions and materiality of the item.*

*The building demonstrates appropriate setbacks; it is similar in height and scale to Barrenjoey House. Openings are vertically proportioned which represents the vertical articulation of Barrenjoey House. The elevations articulated through to the use of timber verandah posts and modulated gabled roof form. The proposed finishes and colours of timber, masonry and tiles will sit comfortably within the vicinity of Barrenjoey House and other items in the vicinity.*

*The proposed works will have no impact on the ability to understand the significance of the nearby heritage listed items. No significant view corridors will be blocked. The building will read in the setting of nearby items as one of several buildings of a similar massing and scale*



This submission demonstrates that the development is of exception design quality with the proposal appropriately responding to its immediate built form and heritage context as depicted in the photomontage at Figure 7 below. The resultant development will afford superior levels of amenity for future occupants whilst maintaining appropriate amenity to surrounding development in relation to privacy, views and solar access. The proposed development is sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement. The development will be safe from flooding hazards.



**Figure 7** - Photomontage showing the proposed development relative to its established built form context as viewed from Barrenjoey Road

In this regard, the development responds positively to the desired future character of the Palm Beach locality and will contribute positively to the streetscape, heritage context and visual amenity of the immediate locality.

#### 4.2.2 Shop Top Housing

Pursuant to clause B2 .6 the commercial/retail component of the development must be a minimum of 25% of the gross floor area of the building. As indicated on plan DA.7(A) the development has a total GFA of 1444.5 m<sup>2</sup> with the proposed commercial floor space of 386.1m<sup>2</sup> representing 26.7% of the total GFA in strict accordance with the control.

#### 4.2.3 Stormwater Management – On-site Stormwater Detention

All stormwater will be disposed of to the street drainage system as detailed on the accompanying hydraulic plans prepared by Van der meer Consulting.

#### 4.2.4 Off-street Vehicular Parking Requirements

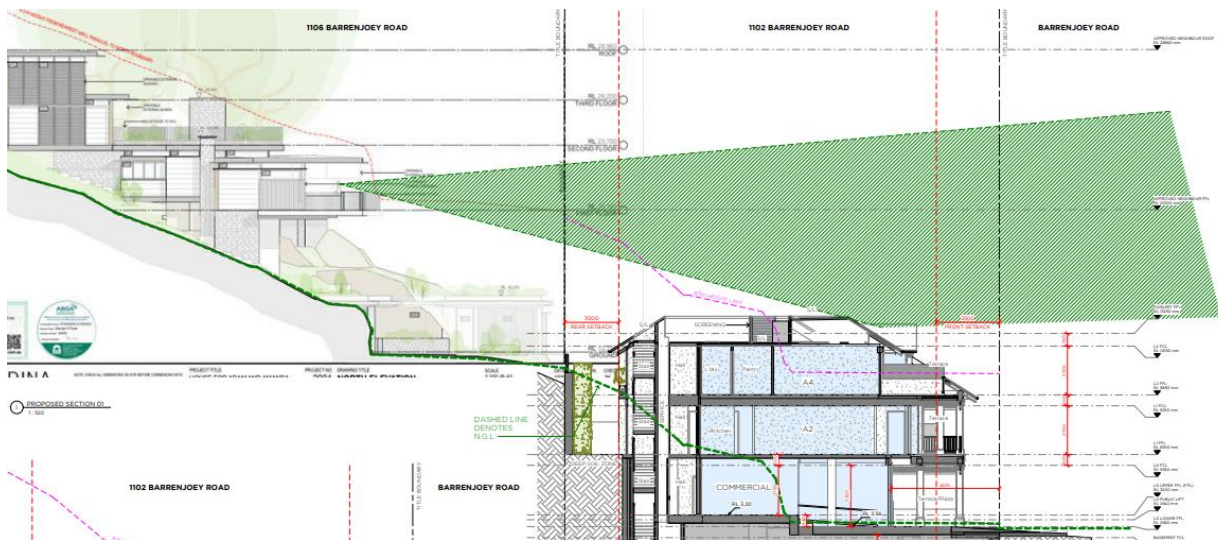
The acceptability of the car parking layout is detailed in the accompanying Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineering and Road Safety Consultants.

#### Development Type Controls

#### 4.2.5 View Sharing

Pursuant to clause C1.3 all new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.

Having inspected the site and surrounds to determine available view lines we have formed the considered opinion that a view sharing outcomes is maintained to surrounding development including but not limited to No's 138 – 144 Pacific Road to the rear of the site and No. 1100 Barrenjoey Road to the south with views retained from the properties to the rear depicted in the plan extract at Figure 8 below. The proposal is consistent with this objective.



**Figure 8** - Plan extract showing the maintenance of views from the adjoining residential properties to the rear

The design outcome achieves a view sharing scenario having regard to the view sharing principles established by the Land and Environment Court in the matter of Tenacity Consulting v Warringah [2004] NSWLEC 140.

#### **4.2.6 Solar Access**

In accordance with Clause C1.4 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. 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.

The accompanying shadow diagrams demonstrate that compliant levels of solar access will be maintained to both immediately adjoining properties. Notwithstanding the building height breaching elements, overshadowing has been minimised to neighbouring properties to the extent that compliant solar access is maintained.

#### **4.2.7 Visual Privacy**

Pursuant to clause C1.5 private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by building layout, landscaping, screening devices or greater spatial separation. Elevated decks, verandas and balconies should incorporate privacy screens where necessary and should, where possible, be located at the front or rear of the building. Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.

The proposed development has been designed to maintain appropriate visual amenity to both immediately adjoining properties through the orientation of principal living and open space areas to the front and rear of the site and the minimisation of side boundary facing fenestration. Visual privacy is further enhanced through the implementation of the proposed landscape regime.

#### **4.2.8 Acoustic Privacy**

The juxtaposition of living and bedroom spaces results in a development that satisfies the outcomes of Clause C1.6 of the policy.

#### **4.2.9 Private Open Space**

Pursuant to Clause C1.7, a minimum area of 15% of the floor area of the dwelling with no dimension less than 2.5 metres and a grade no steeper than 1 in 10 shall be provided. Dwellings should be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living spaces.

The proposed terrace and courtyard spaces satisfy the requirements of the Council policy as detailed on the architectural plans.

#### **4.2.10 Accessibility**

Pursuant to clause C1.9, 20% of units shall be adaptable pursuant to the Liveable Housing Guideline. Further, development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site from the public domain.



We confirm that the development, as modified, provides the necessary quantum of accessible units in strict accordance with Council policy as detailed on the architectural plans.

#### **4.2.11 Waste and Recycling Facilities**

The application incorporates basement waste storage for the commercial and residential components with a temporary residential waste collection holding area located immediately adjacent to the frontage. The accompanying waste management plan details the mechanism whereby bins will be presented to the front of the property for collection by Council's waste service contractor. Commercial waste will be collected by a private waste contractor.

#### **4.2.12 Storage Facilities**

In accordance with clause C1.15, a lockable storage area of minimum 8 cubic metres per dwelling shall be provided.

In addition to the internal storage spaces within the individual apartments separate storage areas for each unit are provided in the basement in accordance with the Council policy as detailed on the architectural plans.

#### **Locality Specific Development Controls**

The subject site is located in the Palm Beach Locality. The developments performance against the relevant locality specific controls is discussed below.

#### **4.2.13 Character as Viewed from Public Place**

These outcomes have been addressed in 4.2.1 previously. This submission demonstrates that the development is of exception design quality with the proposal appropriately responding to its immediate built form and heritage context. The resultant development will afford superior levels of amenity for future occupants whilst maintaining appropriate amenity to surrounding development in relation to privacy, views and solar access. The proposed development is sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.

#### **4.2.14 Scenic Protection**

For the reasons outlined the development as modified satisfies the scenic protection provisions of the DCP.

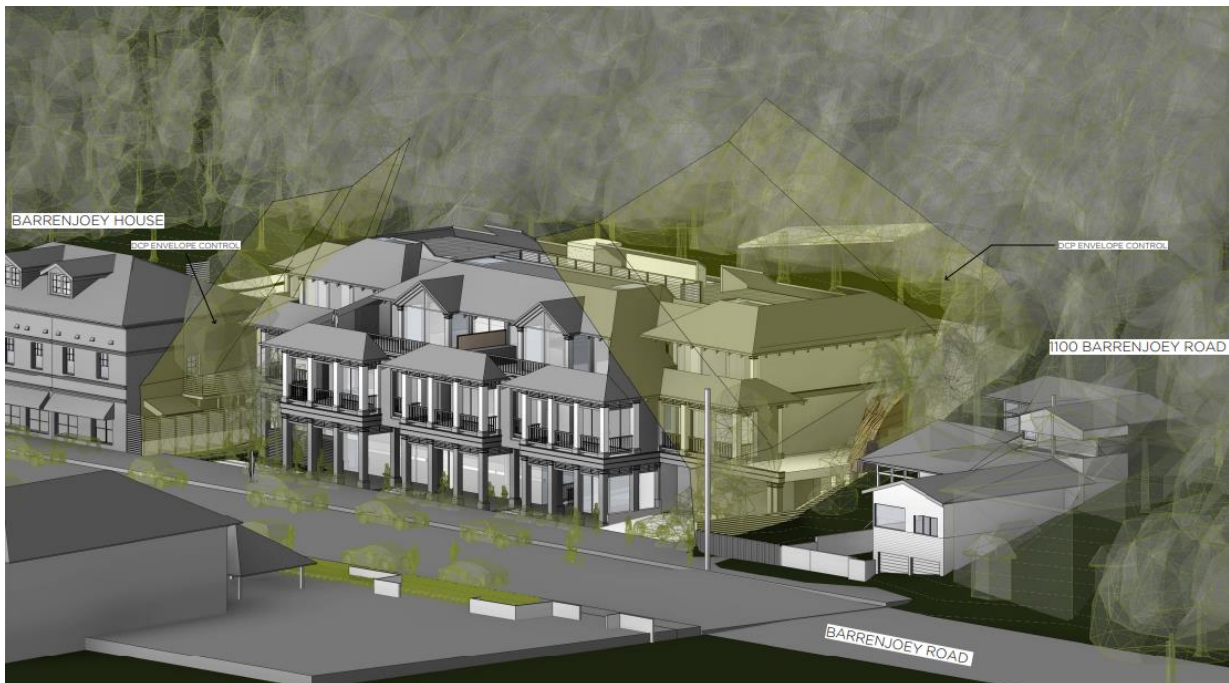
#### **4.2.15 Building Colours, Materials and Construction**

The palette of materials and finishes accompanying the application provides for the use of natural and contemporary building materials and facade treatments consistent with those originally approved and as endorsed by the project heritage consultant.

**4.2.16 Building Line and Side and Rear building alignments and Building Envelope**

The proposal has been designed and sited through detailed site and context analysis to ensure an appropriate contextual relationship with Barrenjoey House to the north and the adjacent residential dwelling house to the south. In this regard, the proposal maintains complimentary and compatible front and side boundary setbacks with a compliant 3 metre setback maintained to the rear boundary.

The architectural plans at Figure 9 over page demonstrates that although the building envelope provisions do not apply to development in the B1 Neighbourhood Centre zone the building complies with the building envelope control as it presents to the southern adjoining dwelling house with relatively minor breaching elements to the northern boundary adjacent to Barrenjoey House. Strict compliance to the southern boundary demonstrates that the building form maintains a contextually appropriate zone boundary spatial relationship with the immediately adjoining dwelling house.



**Figure 9** - Plan extract showing fully compliant building envelope to southern boundary and the maintenance of a contextually appropriate zone boundary spatial relationship with the immediately adjoining dwelling house

#### **4.3 State Environmental Planning Policy No.55 – Remediation of Land**

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 7(1)(a) of SEPP 55 requires the consent authority to consider whether land is contaminated. The site has been used for commercial/business purposes for an extended period of time, with no known land uses or activities that may result in the contamination of land.

The site is not identified as a contaminated site on the NSW EPA’s list of notified sites, nor is it in the vicinity of any listed sites. The consent authority can be satisfied that the subject site is suitable for the proposed development.

The Draft State Environmental Planning Policy (Resilience and Hazards) 2021 is set to replace SEPP 55 from 1 March 2022. The proposed development is unlikely to offend the provisions of this draft policy.

#### **4.4 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development**

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) aims to improve the design quality of residential flat developments to provide sustainable housing in social and environmental terms that is a long-term asset to the community and presents a better built form within the streetscape.

It also aims to better provide for a range of residents, provide safety, amenity and satisfy ecologically sustainable development principles. In order to satisfy these aims the plan sets design principles in relation to context, scale, built form, density, resources, energy and water efficiency, landscaping, amenity, safety and security, social dimensions and aesthetics to improve the design quality of residential flat building in the State.

SEPP 65 applies to new residential flat buildings, the substantial redevelopment/refurbishment of existing residential flat buildings and conversion of an existing building to a residential flat building.

Clause 3 of SEPP 65 defines a residential flat building as follows:

*“Residential flat building means a building that comprises or includes:*

- a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and*
- b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but does not include a Class 1a building or a Class 1b building under the Building Code of Australia.”*

The proposed development involves the construction of a new residential flat (in the form of shop top housing) which will be 3 storeys in height and contain 6 residential apartments.

As per the definition of a 'Residential Flat Building' and the provisions of Clause 4 outlining the application of the Policy, the provisions of SEPP 65 are applicable to the proposed development.

Clause 28(2)(b) SEPP 65 requires any development application for residential flat development to be assessed against the 9 design quality principles contained in Schedule 1. The proposal's performance when assessed against the design quality principles as detailed in the accompanying SEPP 65 Architectural Design/ Verification Statement.

Pursuant to clause 28(2)(c) of SEPP 65 in determining a development application for consent to carry out residential flat development the consent authority is required to take into consideration the Apartment Design Guide. In this regard an Apartment Design Guide compliance table prepared by the project Architect also accompanies this application.

These documents demonstrate that the proposal satisfies the design quality principles contained within SEPP65 and the applicable objectives and design guidelines contained within the ADG.

#### **4.5 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 Assessment accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

#### **4.6 State Environmental Planning Policy (Coastal Management) 2018**

State Environmental Planning Policy (Coastal Management) 2018 is applicable to the land. The Act is supported by the State Environmental Planning Policy (Coastal Management) 2018 which came into effect on 3 April 2018. It is applicable because the site is within the designated:

- coastal environment area (Clause 13)
- coastal use area (Clause 14)

Clause 13 (1) of the SEPP, coastal environmental area, states the following:

- (1) *Development consent must not be granted to development on land that is within the 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,*
  - (b) *coastal environmental values and natural coastal processes,*
  - (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,*

- (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (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,*
- (f) *Aboriginal cultural heritage, practices and places,*
- (g) *the use of the surf zone.*

The proposed development, as modified, will have no impact on the natural coastal processes and environment, marine flora and fauna, public access to the beach and is not within the surf zone.

Clause 14 (1) of the SEPP, Coastal Use Area, states the following:

- (1) *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,*
    - (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
    - (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
    - (iv) *Aboriginal cultural heritage, practices and places,*
    - (v) *cultural and built environment heritage, and*
  - (b) *is satisfied that:*
    - (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
    - (ii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
    - (iii) *if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
  - (c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

The proposed development does not impact on the foreshore processes, access or the amenity of the foreshore area. The dwelling has been demonstrated to be consistent with the desired future character and with the scale of development along the foreshore area.

Clause 15 of the SEPP states:

*Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.*

The consent authority can be satisfied that proposed works will not risk coastal hazards on the site or in the local area.

#### **4.7 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(1) 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:

##### **4.7.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations**

This report clearly and comprehensively addresses the statutory regime applicable to the application pursuant to the Manly LEP 2013 and Manly DCP 2013.

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

#### *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*

These matters have been discussed in the body of this report.

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 potential impacts are considered to be acceptable with regard to the applicable legislation.

*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*

These issues have been discussed in detail in the report. The development provides adequate carparking facilities in conformity with the standards of the policy.

*Public Domain*

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

*Utilities*

This matter has been discussed in detail in the body of this report.

*Flora and Fauna*

The site will be landscaped. The planting and landscaping treatments will enhance the landscape quality of the locality.

*Waste Collection*

No change to approved.

*Natural hazards*

Flooding and geotechnical hazards have been addressed.

### *Economic Impact in the locality*

The proposed development will have a positive economic impact in the locality through the creation of jobs both during the construction and post construction/retail management operations.

### *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 considered to be minimal and within the scope of the desired future character and built form controls of the DCP.

- 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 can comply with the provisions of the Building Code of Australia as detailed within the accompanying report. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

### *Construction*

- i) *What would be the impacts of construction activities in terms of:*
- *The environmental planning issues listed above*
  - *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.



#### **4.7.3 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 adjacent development does not impose any unusual or impossible development constraints. The site is well located with regards to public transport and utility services. The development will not cause excessive or unmanageable levels of transport demand.

The development responds to the topography of the site, is of adequate area, and has no special physical or engineering constraints is suitable for the proposed development

#### **4.7.4 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.

#### **4.7.5 The public interest**

It is considered that the development is sensitive both to the natural and built environments and is consistent with the provisions of the Pittwater LEP and DCP.

## 5 CONCLUSION

This application proposes the construction of a shop top housing development which has been designed in response to feedback obtained from the DSAP meeting of 26<sup>th</sup> August 2021 with the final design as detailed within this application representing a highly considered response to the recommendations made. In this regard, the current proposal incorporates the following design features:

- A 3 storey building incorporating pitched roof forms of a design which is both sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.
- The adoption of a design which relates to the built form proportions, eave levels and control lines of Barrenjoey House whilst maintaining contextually appropriate setbacks.
- The creation of a publicly accessible plaza, open to the sky, at the northern end of the site to facilitate the provision of a feature tree whilst providing broader public benefit in terms of its usage and the maintenance of views to the southern façade of Barrenjoey House.
- The provision of additional landscaping adjacent to the southern boundary of the property where the development interfaces with the adjoining dwelling house.
- The maintenance of a 3 metre setback to the rear boundary of the property.
- The provision of a deep and generously proportioned colonnade adjacent to the frontage of the property including level access to the adjacent commercial tenancies.

We also confirm that the final design detailing has been settled in consultation with Weir Phillips Heritage and Planning with the accompanying Heritage Impact Statement containing the following conclusion:

*The proposed works will have the opportunity to construct of the sympathetically designed modern infill building that supports the ongoing significance of the area as a neighbourhood precinct, will have an acceptable impact on the Barrenjoey House. The proposed new building is contemporary in character but demonstrates respect for the key forms, architectural proportions and materiality of the item.*

*The building demonstrates appropriate setbacks; it is similar in height and scale to Barrenjoey House. Openings are vertically proportioned which represents the vertical articulation of Barrenjoey House. The elevations articulated through to the use of timber verandah posts and modulated gabled roof form. The proposed finishes and colours of timber, masonry and tiles will sit comfortably within the vicinity of Barrenjoey House and other items in the vicinity.*

*The proposed works will have no impact on the ability to understand the significance of the nearby heritage listed items. No significant view corridors will be blocked. The building will read in the setting of nearby items as one of several buildings of a similar massing and scale*

This submission demonstrates that the development is of exception design quality with the proposal appropriately responding to its immediate built form and heritage context. The resultant development will afford superior levels of amenity for future occupants whilst maintaining appropriate amenity to surrounding development in relation to privacy, views and solar access. The proposed development is sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15(1) of the Act. 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 proposed development is sympathetic to its context and contemporary in its use of materials and forms in response to local climate and the seaside village character anticipated by the Palm Beach Locality Statement.
- The proposal is of exception design quality with the proposal appropriately responding to its immediate built form and heritage context. The resultant development will afford superior levels of amenity for future occupants whilst maintaining appropriate amenity to surrounding development in relation to privacy, views and solar access.
- Whilst the application requires the consent authority to give favourable consideration to a clause 4.6 variation request in relation to building height, we consider that such request is well-founded in that it facilitates the development of the site in a manner which provides far superior urban design, heritage conservation, residential amenity and landscape outcomes compared to the development approved and physically commenced pursuant to Development Consent N0119/14.
- Accordingly, approval of the building height variation will promote good design, the sustainable management of built and cultural heritage and the orderly and economic use and development of the land consistent with objectives 1.3(c) (f) and (g) of the Environmental Planning and Assessment Act 1979 (the Act).
- The development achieves the design quality principles contained within State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP65) and the objectives and guidelines contained within the Apartment Design Guide (ADG).

Having given due consideration to the matters pursuant to Section 4.15(1) of the Act it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.

**BOSTON BLYTH FLEMING PTY LIMITED**



**Greg Boston**

B Urb & Reg Plan (UNE) MPIA

B Env Hlth (UWS)

**Director**

**Attachment 1**

Council confirmation of physical commencement



6 November 2019

Nathaniel Murray  
NSW Town Planning Pty Ltd  
Level 12, 95 Pitt Street  
SYDNEY NSW 2000

Via email: nmurray@nswtownplanning.com.au

**Development consent N0119/14 - 1102 Barrenjoey Road, Palm Beach**

Dear Nathaniel,

Council has received correspondence dated 30 October and 6 November 2019 requesting confirmation of the physical commencement of works associated with development consent N0119/14, which approved the construction of a shop top housing development at 1102 Barrenjoey Road, Palm Beach.

Council has reviewed the submitted Geotechnical Report (prepared by WITT Consulting, dated November 2019) and is of the opinion that the geotechnical works undertaken thus far constitute the physical commencement of works at the site. Noting that these works were undertaken prior to 13 November 2019, development consent N0119/14 will not lapse.

If you require any further information, please contact Rebecca Englund on 9970 1250.

Regards,

A handwritten signature in black ink, appearing to read "Matthew Edmonds".

Matthew Edmonds  
Manager, Development Assessment

**Attachment 2**

Clause 4.6 variation request – Height of buildings

**Separately Attached**