

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lots B & C DP 450856
1129 Barrenjoey Road
Palm Beach

PROPOSED DEVELOPMENT: Alterations and additions to an existing two storey dwelling



CONTENTS

INTRODUCTION.....	3
LEGISLATIVE REQUIREMENTS.....	4
(a)(i) Relevant environmental planning instruments.....	4
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.....	4
State Environmental Planning Policy (Resilience and Hazards) 2021.....	4
State Environmental Planning Policy (Transport and Infrastructure) 2021.....	7
Pittwater Local Environmental Plan 2014.....	8
(a)(ii) Relevant draft environmental planning instruments.....	13
(a)(iii) Relevant development control plans.....	14
Pittwater Development Control Plan No. 21.....	14
(iiiia) Relevant planning agreement, or draft planning agreements.....	24
(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.....	24
(c) The suitability of the site for the development.....	25
(d) Any submissions made in accordance with this Act or the regulations.....	25
(e) Public interest.....	25
CONCLUSION.....	26

This work is copyright. Apart from any use permitted under the Copyright Act 1968, no part may be reproduced by any process, nor may any other exclusive right be exercised, without the written permission of © Urban Planning and Building Consultants, 2023.



INTRODUCTION

This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for alterations and additions to an existing two storey dwelling. This report is based on plans prepared by Amicus Homes, Project No. 8018, Revision DA-01.

The proposed works include:

Ground floor

- Internal reconfiguration to provide a new kitchen, laundry and butlers pantry, guest suite and ensuite, WC, linen cupboard, powder room and bar area
- Outdoor BBQ / kitchen area and associated half height wall

First floor

- Internal reconfiguration to provide five (5) bedrooms
- Ensuites provided to four (4) of the bedrooms
- New powder room and linen cupboard

External changes

- New windows to replace existing aging windows
- New glass balustrade to the existing rear balcony
- Replace existing tiled roof with terracotta roof tiles
- Installation of a temporary fence to protect the existing sandstone fencing to the front of the allotment.

The subject site is slightly irregular in shape and consists of two allotments. The site has a combined frontage of 22.985m, a depth of 60.91m and a total land area of 1397m². The site currently contains a two storey dwelling and associated landscaping that is to be retained as part of the proposed development.

The site has a gentle fall to the western boundary which adjoins Snapperman Beach and waterway.

The surrounding neighbourhood is currently undergoing an urban renewal phase, setting a contemporary streetscape theme that consists of predominately one and two storey dwellings. No heritage items are noted on site or within its immediate surrounds.

The following sections of this statement address the likely impact of the proposal.



LEGISLATIVE REQUIREMENTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

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

State Environmental Planning Policy – Building Sustainability Index: BASIX 2004 (BASIX SEPP) requires all residential development in New South Wales to achieve a minimum target for energy efficiency, water efficiency and thermal comfort. The proposed development has been assessed in accordance with the relevant provisions of the BASIX SEPP. It is demonstrated on the BASIX Certificate submitted with this application that the proposal achieves the required rating for energy efficiency, water efficiency and thermal comfort.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The subject site is located within the coastal zone and requires consideration under this policy. The site is specifically identified as forming part of the Coastal Environment Area and the Coastal Use area. The clauses of relevance are addressed as follows:

2.10 Development on land within the coastal environment area

- (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.*
- (2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—*
- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or*
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*
- (3) This section does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#).*

The proposed development maintains the existing buffer to the coastal foreshore to ensure there will be no detrimental impact on the environmental characteristics of the waterfront lands, vegetation, headland or the cultural significance of the area surrounding area. There will be no loss of public open space or access thereto.

2.11 Development on land within the coastal use area

- (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.

(2) This section does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#).

The development has been designed giving a high degree of consideration to the coastal environment, site constraints, character of the area and surrounding natural attributes. The proposed works are setback from the foreshore area ensuring no direct impacts in relation to overshadowing, restricted access or excessive visual bulk.

External materials are a mix of rendered brickwork and glass incorporated into a contemporary design. The external appearance and overall bulk of the development is unchanged by the proposal as it relates predominantly to internal works and is in keeping with the established dwelling on the allotment. The design does not result in any loss of view to adjoining or nearby developments, provides a high-quality amenity for future occupants and will take advantage of the outlook toward the foreshore.

There will be no loss of public view nor any impact on the use of the foreshore area. The development is suitably designed to achieve the objectives of the SEPP.

Chapter 4 – Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*



(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

2.98 Development adjacent to rail corridors

(1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—

- (a) is likely to have an adverse effect on rail safety, or*
- (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
- (c) involves the use of a crane in air space above any rail corridor, or*
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is not located within proximity to a railway corridor, and does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.

Division 17 Roads & Traffic

Subdivision 2 – Development in or adjacent to road corridors and road reservations

2.118 Development with frontage to classified road

(1) The objectives of this section are—

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*



- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*
- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
- (i) the design of the vehicular access to the land, or*
- (ii) the emission of smoke or dust from the development, or*
- (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located within proximity to a classified road, and does not have a frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

Pittwater Local Environmental Plan 2014

The subject site is identified to be zoned C4 Environmental Living and RE1 Public Recreation pursuant to Clause 2.1 of Pittwater Local Environmental Plan 2014. The proposed works are located within the area of site that is zoned C4 therefore the remainder of this report will relate to the requirements of the C4 zone.

The proposed development is defined in the Plan as a “*dwelling house*”, being “*a building containing only one dwelling*”.

The identified zone permits the construction of a ‘dwelling house’ therefore ancillary development is permitted subject to development consent from Council.



Clause 2.3 Zone objectives and land use table

The objectives of the C4 Zone are:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

The proposed alterations and additions can satisfy the objectives of the zone as it complements the existing residential setting. Residential amenity can be maintained by the proposed development as the site is within an area intended for this form of development.

The proposed development is compatible with the existing and future character of the locality. The development is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site.

The proposed dwelling is considered to meet the objectives of the C4 Zone.

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m ridge height	<8.5m Unchanged by the proposed development.	Yes

Clause 4.4 Floor Space Ratio

There are no maximum floor space ratio provisions for the subject site.



Clause 4.6 Exceptions to development standards

The proposal does not contravene the development standards of the LEP.

Clause 5.1 Relevant acquisition authority

The subject site is identified on the "Land Reservation Acquisition Map" as "Zone RE1 Public Recreation and marked "Local open space"" and Council is identified as the relevant authority for owner-initiated acquisition within the provisions clause. The owner of the subject site is not initiating / requesting acquisition as part of the proposed development.

Clause 5.1A Development on land intended to be acquired for public purposes

(2) This clause applies to land shown on the [Land Reservation Acquisition Map](#) and specified in Column 1 of the table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1.

The subject site is identified on the "Land Reservation Acquisition Map" as "Zone RE1 Public Recreation and marked "Local open space"" and relates to land that has not be acquired by Council. Therefore the provisions of this clause apply to the proposed development.

(3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that table.

Column 1	Column 2
Land	Development
<i>Zone SP2 Infrastructure and marked "Classified road"</i>	<i>Roads</i>
<i>Zone SP2 Infrastructure and marked "Local road"</i>	<i>Roads</i>
<i>Zone RE1 Public Recreation and marked "Local open space"</i>	<i>Recreation areas</i>
<i>Zone RE1 Public Recreation and marked "Regional open space"</i>	<i>Recreation areas</i>
<i>Zone E2 Environmental Conservation and marked "Regional open space"</i>	<i>Recreation areas</i>
<i>Zone E2 Environmental Conservation and marked "Local open space"</i>	<i>Recreation areas</i>

The proposed development is not located within the portion of the allotment that is RE1 Public Recreation therefore consent is permitted to be granted for the proposed development.



Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or located within close proximity to heritage items.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified to be bushfire prone land.

Clause 5.21 Flood planning area

The subject site is not known to be located within a flood planning area.

Clause 7.1 Acid sulfate soils

The subject property is identified as being affected by Class 1, 3 and 5 Acid Sulfate Soils. The proposal requires no earthworks and is therefore not considered to impact the water table. The development is not anticipated to have any specific requirement in respect to Acid Sulfate Soils.

Clause 7.2 Earthworks

All works proposed are within the existing built form and no earthworks are proposed as part of the development.

Clause 7.6 Biodiversity

The front of the subject site is identified as being within an area of terrestrial biodiversity. The proposed development does not involve removal of excessive vegetation or land clearing and will maintain the landscape character of the area. It is not anticipated that the development will detrimentally impact upon the ecological value and significance of the fauna and flora on the land or the importance of the vegetation to the habitat of native fauna and the habitat elements providing connectivity on the land.



Clause 7.8 Limited development on foreshore area

(3) Development consent must not be granted under this clause unless the consent authority is satisfied that—

- (a) the development will contribute to achieving the objectives for the zone in which the land is located, and*
- (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and*
- (c) the development will not cause environmental harm such as—*
 - (i) pollution or siltation of the waterway, or*
 - (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or*
 - (iii) an adverse effect on drainage patterns, or*
 - (iv) the removal or disturbance of remnant riparian vegetation, and*
- (d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and*
- (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and*
- (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and*
- (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and*
- (h) sea level rise, coastal erosion and recession, or change of flooding patterns as a result of climate change, have been considered.*

The subject site is located adjacent to the foreshore area and subject to a foreshore building line as noted on the architectural plans accompanying the application before Council. The existing built form is partially located within the foreshore area.

The subject site has an existing interface with the foreshore area which is accessed via the foreshore and beachfront area however not direct public access is available through the subject site. Thus the proposed development will not detrimentally impact public access to the foreshore / beachfront areas.



The proposed development is located within the existing built form and is for minor alterations and additions to provide increased functionality to the existing dwelling with improved amenity whilst increasing the lifespan of the dwelling. The development includes internal reconfiguration along with the removal and replacement of windows and doors that have deteriorated with age.

The development does not propose works that will detrimentally impact the amenity and aesthetic appearance of the foreshore area as the proposed works predominantly relate to repairs and maintenance of the existing built form. Further, the proposed alterations and additions do not include changes to the existing drainage, landscaping or topography of the site ensuring minimal impact on the foreshore area.

Due to the minor nature of the development and the existing built form being predominantly unchanged by the proposal the existing encroachment into the foreshore building line is deemed acceptable to be retained by the development.

Clause 7.10 Essential Services

All necessary services are available on the site including access to water, sewer, telecommunications and electricity.

* * *

Conclusion with respect to LEP requirements

The proposal satisfies the objectives and requirements of the PLEP 2014.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.



(a)(iii) Relevant development control plans

Pittwater Development Control Plan No. 21

DCP is divided into several sections of generic and individual locality based controls. The subject site is located within the Palm Beach Locality. Assessment of the subject proposal against DCP No.21 is provided as follows;

SECTION A

A4.12 Locality character statement – Palm Beach Locality

Until the early 1900s, the locality remained a tiny settlement of isolated farms and fishermen's cottages. In 1912, land was subdivided and Palm Beach became a popular holiday destination, its popularity increasing with the development of the Palm Beach Golf Course in 1920. The Barrenjoey peninsula remained a popular camping area until it was closed in the 1960s. Residential development and permanent occupation of dwellings increased from the 1960s, although the area still remains a secluded peninsula at the northern point of Pittwater. Barrenjoey Headland at the northernmost point of Pittwater was host to a Customs House from 1843, and Barrenjoey Lighthouse from 1881, which remains today.

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

Residents and visitors are attracted to the Palm Beach Locality by its natural beauty, by the relatively unspoilt nature of the region and by the relaxed seaside atmosphere of the locality. To the west is the Pittwater waterway, to the east the ocean beaches and headlands, with a spur running north south ending in a bluff at the sand isthmus that ties Barrenjoey Headland to the mainland. Here it is an easy walk over the sand dunes from the protected water of Pittwater to the ocean beach. Due to the topography, significant views can be obtained through all points of the



compass. Conversely, the slopes and ridge tops of the locality are visually prominent.

The locality is serviced by two neighbourhood retail centres at the intersect of Barrenjoey Road and Iluka Avenue, opposite the public wharf, Ocean Road; and the intersection of Whale Beach Road and Surf Road, where the bus service terminates. The public wharf provides a vital link for the Upper Western Foreshore communities, as well as a regular ferry service to these communities and further afield including Patonga and Gosford. The locality also contains Barrenjoey Lighthouse, Palm Beach RSL, Palm Beach SLSC, and recreational facilities including Palm Beach Golf Course, rock baths, beaches, Governor Phillip Park, McKay Reserve and other reserves.

Barrenjoey Lighthouse, remnants of Customs House, houses, vegetation, and other structures in the vicinity of Barrenjoey Headland, Barrenjoey Road, Bynya Road, Florida Road, Ocean Road, Northview Road, Palm Beach Road, Pacific Road, Sunrise Road, and beach and waterfront reserves, indicative of early settlement in the locality, have been identified as heritage items. Land in Florida Road, Ocean Road, and Sunrise Road, indicative of early subdivision patterns and built form, have been identified as heritage conservation areas.

The Palm Beach locality gives the impression that much of the native vegetation has been retained. Bushland reserves predominate. Native plants proliferate in private gardens. The natural fall of the land has been preserved in most cases with retaining walls and terracing kept to a minimum. A few poor exceptions to this are located at the northern end of Ocean Road. The retention of the natural features and native plants within private gardens should be encouraged, and help to reinforce the natural beauty of the area the main characteristic of the locality. The natural features of the locality result in a high risk of bushfire, landslip, flood, coastal (bluff) hazard, and estuary wave action and tidal inundation.

The major roads within the locality are Barrenjoey Road, Florida Road, Ocean Road, and Whale Beach Road. Barrenjoey Road is the primary access road from the south. Several pedestrian links and pathways exist within the locality.

The detached dwelling is to be located on a 1397m² property consisting of 2 allotments being in keeping with the typical size for the area. the site is well vegetated and no tree removal is proposed to ensure the landscape character of the area is maintained by the development.

The proposed alterations and additions to the existing two storey dwelling is considered to be consistent with the established character of the area and the surrounding character of Palm Beach.



The design and style chosen is desired by the market today being of a contemporary nature using appropriate building materials in keeping with the existing dwelling ensuring that the built form will not be out of place and will not detract from the amenity of surrounding properties.

The proposal does not present any detriment to views or streetscape setting and environmental issues are considered to be satisfactorily addressed.

This development application is supported by all the necessary documentation to address the relevant environmental triggers of this Plan, such as landscaping and stormwater plans.

Desired Character (extract)

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 alterations and additions will maintain the existing low-density residential character of the area. The proposed development is considered to be in keeping with the existing dwelling and newer developments throughout the surrounding area.

The subject site is well vegetated and no trees are required to be removed in order to undertake the proposed internal alterations and additions. Existing planting to the front and rear of the allotment are being will ensure that the landscape character of the area is maintained.

The overall design of the dwelling has given consideration to the site's environmental constraints, the amenity of neighbouring properties, views obtained from the site and the streetscape.

The proposed dwelling is considered to be in keeping with the desired character of the Palm Beach area.



SECTION B

B1 Heritage Controls

The subject property is not identified as an item of heritage significance. The site is not within a heritage conservation area or located within close proximity to heritage items.

B3 Hazard Controls

The subject property is not identified to be located within a bushfire prone area.

The subject property is identified as being affected by Class 1, 3 & 5 Acid Sulfate Soils. The proposal requires no earthworks and is therefore not considered to impact the water table. The development is not anticipated to have any specific requirement in respect to Acid Sulfate Soils.

The subject site is not known to be located within a flood planning area.

B4 Controls Relating to the Natural Environment

The subject site is not identified as being within an area of environmental significance.

B5 Wastewater management

Drainage from the subject site is unchanged by the proposed development. Details are included on the accompanying plans.

B6 Access and Parking

The driveway access is unchanged by the proposed development and considered to be suitably located.

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
Driveway width at boundary to be maximum of 3.0m	Existing driveway width at boundary unchanged by proposal.	N/A



Driveway width at kerb to be maximum of 3.5m	Existing driveway width at kerb unchanged by proposal.	N/A
Required parking spaces per dwellings (not secondary dwelling) 1bedroom – 1 space 2bedrooms + - 2 spaces	2 parking spaces provided within the existing double garage.	Yes
Min. enclosed garage dimensions - 3.0m x 6.0m	6.1m x 5.4m Unchanged by the proposed development. Suitable dimensions to allow for parking of 2 vehicles.	Yes

B8 Site works management

All works proposed are within the existing built form and no earthworks are proposed as part of the development.

SECTION C Development type controls

C1 Design Criteria for Residential Development

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>C1.1 Landscaping</u> 60% of front setback to be landscaped.	>60% landscaped area. Unchanged by the proposed development.	Yes
<u>C1.2 Safety & security</u> Be able to view visitor at front door without opening it.	Existing entry door and habitable rooms within the frontage allow views of the porch and entry approach.	Yes



Casual surveillance of front yard.	Guest room and entry windows within front façade allows casual surveillance of the front yard.	Yes
Adequate lighting provided to minimise possibility of damage. Lighting to minimise annoyance to neighbours.	Adequate lighting is provided within the front yard to permit access without annoyance to neighbours.	Yes
<u>C1.3 View sharing</u>	The proposed development is not anticipated to have any unreasonable impact on views of surrounding properties. Any views obtained along the street and through the site can still be obtained as all works are within the existing built form.	Yes
<u>C1.4 Solar access</u> 3hrs to POS of proposed and adjoining 9am-3pm. 3hrs to 50% glazing of proposed and adjoining living area windows.	Existing solar access retained to the existing dwelling and adjoining dwellings. Shadows cast from the proposed development are not beyond anticipated levels for a two storey dwelling on relatively level site with north to the side boundary.	Yes Yes
<u>C1.5 Visual privacy</u>	No loss of visual privacy anticipated from the proposed development due to the existing and proposed placement of proposed windows and habitable rooms. Low trafficable rooms orientated to the side boundaries where possible and living areas predominantly orientated to the front and rear of the site.	Yes
<u>C1.6 Acoustic privacy</u>	No significant noise source within direct proximity of the subject site.	Yes
<u>C1.7 Private open space</u>		



80m ² POS	>80m ² POS area retained by the proposed development.	Yes
Min dimension 3m	Min >3.0m	Yes
Max 75% POS in front yard	Appropriate location of POS area considering the nature of the allotment as well as the location of the existing built form.	Merit consideration.
Principal area 4m x 4m	Provided	Yes
Accessed via living area.	POS accessed via living/dining room	Yes
POS to have good solar orientation	Northern orientation available to the POS.	Yes
POS to include provision of clothes drying facilities.	Capable of complying.	Yes
<u>C1.9 Accessibility</u>	Appropriate access to and from the site is maintained.	Yes
<u>C1.12 Waste and recycling facilities</u>	Adequate area continues to be available for bin storage within the site.	Yes
	Waste Management Plan provided for Council's consideration.	Yes
<u>C1.20 Undergrounding of utility services</u>	Necessary services/utilities can be provided for the proposal.	Yes

SECTION D Locality specific development controls



D12 Palm Beach Locality

D12.1 Character as viewed from a public place

Site and area analysis has revealed that numerous developments of a similar style and design to the subject proposal have occurred within the area gradually setting a contemporary development theme.

Design of the existing residence has been retained to ensure the streetscape character of the subject stie is unchanged. The front façade has still been well articulated and provided with an entry porch feature. The front façade does not contain any unarticulated component in excess of 8m as per the existing built form.

Car parking is provided in the existing attached double garage. The existing well articulated built form ensures the visual bulk of the development is suitable for the streetscape. Planting within the front setback is retained and helps to soften the built form when viewed form the street.

Based upon the design of the development and the nature of the proposal relative to the intended surrounding properties, it is considered that the residence will appropriately blend with the intended future character of Barrenjoey Road.

The proposed alterations and additions extend the life span of the existing built form and continue to contribute to the streetscape and landscape character of the locality.

D12.5 – 12.13 Palm Beach Locality Residential Sectors

This section of the DCP applies to all land within the Palm Beach Locality and provides controls for sector planning (subdivision and layout) and built form. An assessment of the proposed development against the built form controls of this section of the DCP is provided in the following compliance table;

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>D12.5 / Front Building line</u> Land zoned R2, R3 and E4 adjoining Barrenjoey Road – 10m or	Existing front setback unchanged by the proposed development.	Merit consideration – suitable outcome



established building line, whichever is greater.		considered to be achieved.
<u>D12.6 / Side and rear building line</u> Land zoned R2, R3 or E4: 2.5m to one side; 1.0m to other side. 6.5m to rear (except land in foreshore)	All setbacks unchanged by the proposed development as all works are within the footprint of the existing built form. The existing building footprint is sited within the foreshore building line however no changes to the built form ensuring that the development is of no greater impact than the existing dwelling.	Merit consideration – suitable outcome considered to be achieved.
<u>D12.8 / Building envelope</u> 3.5m above ngl on side boundaries, inward at 45 ^o to max. height (eaves permitted outside)	The existing dwelling is maintained as part of the proposed development with all works located within the built form. The existing dwelling encroaches upon the building envelope however to increase in the encroachments are proposed.	Merit consideration – suitable outcome considered to be achieved.
<u>D12.9 / Landscaped Area – General</u> Landscape area min = 50%	N/A to C4 zoned land	N/A
<u>D12.10 / Landscaped Area – Environmentally Sensitive Land</u> Landscape area min. for alterations and additions = 60%	Unchanged by the proposed development	Yes
<u>D12.11 Fences</u>	Existing fencing unchanged by the proposed development.	N/A
<u>D12.13 / Retaining Walls</u>	Existing retaining walls unchanged by the proposed development.	N/A

* * *



Conclusion with respect to DCP requirements

The proposal is considered to generally satisfy the objectives of the relevant development controls relating to dwellings, as contained within DCP No. 21.

(iia) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality

The following matters are understood to be relevant when considering on site impacts:

Siting and Design

The proposed alterations and additions to the existing two storey dwelling will be compatible with the existing built form and extend the life space of the existing dwelling.

The existing front façade is appropriately articulated and contains a variety of roof forms and elements and a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

Utilities

The site is connected to all necessary services and utilities including electricity, water, reticulated sewerage and telecommunications.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.



Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged to occur during construction.

(c) The suitability of the site for the development

The subject site is within an established residential area within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed alterations and additions, the subject of the application, can be carried out with all services necessary and have been designed to suit site constraints and the character of the surrounding residential setting.

The proposed works are permissible with development consent under the provisions of Pittwater Local Environmental Plan 2014, and generally satisfies the objectives of the Pittwater DCP No. 21 as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.



CONCLUSION

The proposed development has been considered in respect of the relevant Environmental Planning Instruments and is deemed to be satisfactory with respect to those requirements taking into consideration the overall merits of the design presented.

The residential use of the site is permissible with development consent under the provisions of Pittwater Local Environmental Plan 2014, and can satisfy the objectives of the relevant development control plan for the area.

It is considered that the proposed alterations and additions will complement and blend with the existing and likely future character of Palm Beach. The proposal is not expected to have an adverse impact on the surrounding natural or built environment. The appropriateness of the development has been evident within this statement and within the supporting documentation submitted to Council. The proposed development appropriately identifies and relates to the sites use as a residential development.

Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activity is considered acceptable and maintains the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under S4.15 of the E P and A Act 1979.

Maxine Booth (B.UrbRegPlan & MPIA)
Town Planner
Urban Planning & Building Consultants
25 April 2023