



DM Planning

Statement of Environmental Effects

Dwelling house, garage, swimming pool and
landscaping



3 Orana Road, Mona Vale

Report prepared for
Steven Halpin

August 2022

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1 Introduction

This Statement of Environmental Effects ('SEE') has been prepared on behalf of Steven Halpin to accompany a Development Application ('DA') for construction of a dwelling house, detached garage with studio above, swimming pool and landscaping at 3 Orana Road, Mona Vale.

This SEE has been prepared and is submitted to the Northern Beaches Council ('Council') pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* ('**EP&A Act**').

This SEE describes the site, its surroundings and describes how the proposal addresses and satisfies the objectives and standards the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan and the heads of consideration listed in Section 4.15 of the EP&A Act.

This SEE demonstrates that the proposal is generally consistent with the relevant provisions of the:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX)*
- *Pittwater Local Environment Plan 2014 ('PLEP 2014')*
- *Pittwater 21 Development Control Plan ('P21 DCP')*

This SEE concludes that the proposal, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed works are compatible with the desired future character of the Mona Vale locality.
- The proposed works will not give rise to adverse impacts on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 The site and locality

2.1 Site description

The site is located within the Northern Beaches Local Government Area (formerly Pittwater Council).

The site is legally described as Lot 13, Section B, DP 6195 and is known as 3 Orana Road, Mona Vale. The site is rectangular with an area of 929m². It has a 15.24m frontage to Orana Road and a fall of approximately 7m from the rear boundary to the street.

The site does not contain any heritage items nor is it in a heritage conservation area.

The site is located within the R2 Low Density Zone and is currently developed with a brick and tile dwelling house, two brick outbuildings, paved areas and terraced gardens.

The location of the site is shown in Figures 1 and 2.

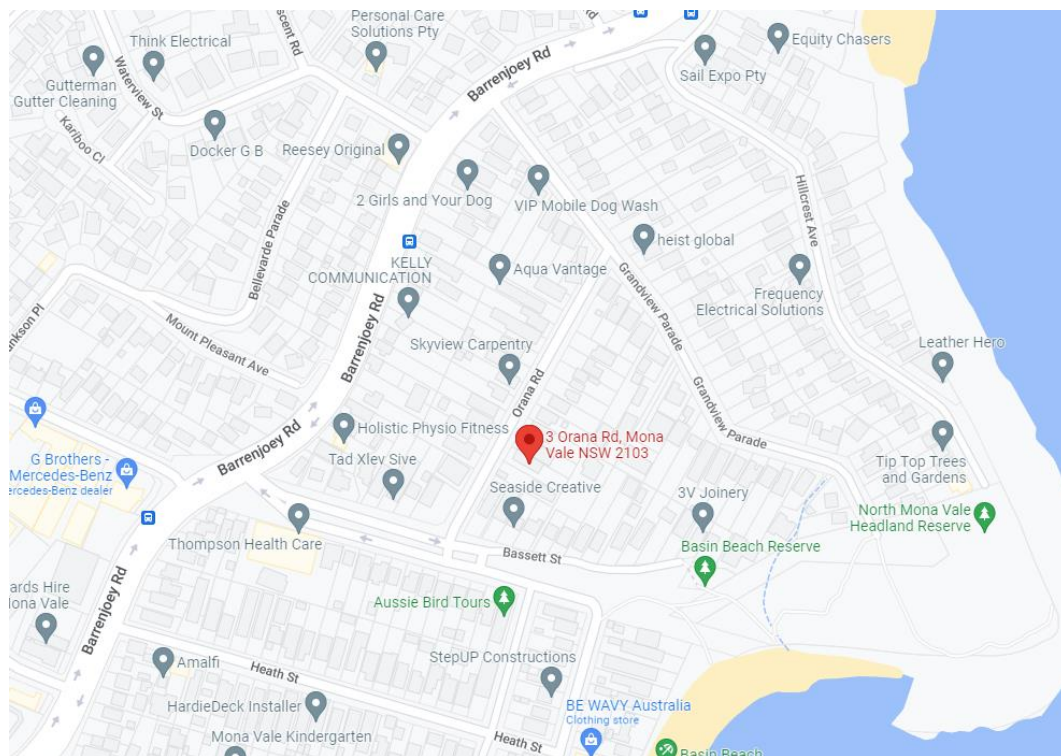


Figure 1. Location of the site (Source: Google Maps)

Adjoining and surrounding development is characterised by detached dwellings and dual occupancies.



Figure 2. Aerial view of the site and its surroundings (Source: SIX Maps)



Figure 3
Existing street
frontage of 3
Orana Road



Figure 4
Existing
driveway



Figure 5
Outbuildings
and paved
areas at the
rear of the
existing
dwelling



Figure 6
View from
mid-yard
looking east
showing
existing lawn,
trees and
ancillary
structures

2.2 The locality

The site sits within an area containing a mix of residential dwellings and ancillary buildings of varying scale and size, design and configuration. The mix of residential dwelling design types sees a range of built forms including single and two storey dwellings. The existing dwellings and built forms on the eastern side of Orana Road are varied, are either single or two storey, with designs typically presenting towards the street front.

The southern end of Orana Road has limited opportunities for locality views with the subject site being located in the 'lower' part of the hillside and southern end of the street. The site is in close proximity to the northern end of Mona Vale Beach and Mona Vale Headland. The site is also within walking distance of the Mona Vale shopping area, with public transport services available along Pittwater Road to the west.

The two adjoining properties are shown in the Figure 7 and 8 below.



Figure 7
5 Orana Rd, a detached dual occupancy development adjoining the site to the north



Figure 8
1 Orana Road, a single dwelling adjoining the site to the south

3 The proposal

This application proposes the construction of a 2 storey dwelling house, swimming pool, detached garage and studio. Specifically, the proposed dwelling house comprises of:

Detached garage / studio

- Double garage and gym at ground level
- Bedroom, living room, bathroom and front balcony

Dwelling House - ground floor level

- Entry
- Open plan living, dining, kitchen
- Hallway connecting to the bedroom wing
- Master bedroom suite
- Bedroom 5
- Powder room
- Laundry

First floor

- 3 x bedrooms
- 2 x bathrooms
- Rumpus room with west facing balcony

Stormwater will be collected and drained to the street.

External materials and finishes include; lightweight cladding, concrete rendered and painted walls, colorbond roof sheeting, cobblestone driveway, aluminium doors and window frames, louvres and privacy screens, tiled decking, sandstone cladding.



Figure 9. Streetscape view

(source: SSD Architects)

4 Environmental planning assessment

4.1 Environmental Planning and Assessment Act 1979

The proposal is consistent with the objects of the EP&A Act as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment.

This section of the report provides the planning assessment against the key statutory environmental planning instruments and Development Control Plan relevant to the development. The following detailed assessment of the proposal is provided, and which is based on the heads of consideration contained in section 4.15 of the EP&A Act.

4.15(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	- The relevant state environmental planning instruments are addressed at Section 4.2. - The relevant provisions of PLEP 2014 are addressed at Section 4.3.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	N/A
(iii) any development control plan, and	The relevant provisions of P21 DCP are addressed at Section 4.5.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	N/A
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The requirements of the EP&A Regulations are satisfied. Applicable regulation considerations including demolition, fire safety, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspections may be addressed by appropriate consent conditions.

Relevant Provision	Comment
(v) <i>(Repealed)</i>	
(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the P21 DCP section in this report. Social Impact The proposed development will not result in any detrimental impacts on the locality considering the character of the proposal Economic Impact The proposed development will not result in any detrimental economic impacts on the locality considering the nature of the existing and proposed land use.
(c) <i>the suitability of the site for the development,</i>	The proposed development is suitable for the site as demonstrated throughout this report.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Council will consider any public submissions relating to the proposal during its assessment.
(e) <i>the public interest.</i>	The proposal is in the public interest as it allows for appropriate and positive additions to an existing residential site.

Table 1: Section 4.15(1) assessment

4.2 State Planning Policy Controls Overview

The proposal has been designed having regard to the objectives and standards of the relevant planning instruments and policies that apply to the site. Under the provisions of the EP&A Act, the key applicable State Environmental Policies are:

- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

The application of the above plans and policies is discussed in detail in the following sections of this SEE.



4.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Under clause 4.6(1) (a) of State Environmental Planning Policy (Resilience and Hazards) 2021, consideration has been given as to whether the land is contaminated. The site has been used for residential purposes for an extended period of time and there is no history to suggest that the site is contaminated. The application does not require further consideration under clause 4.6(1) (b) and (c) of this policy.

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

The State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX) seeks to encourage sustainable development within NSW.

An assessment against BASIX has been undertaken and a BASIX certificate been prepared. The proposed development will comply with the targets of the Building Sustainability Index.

4.3 Pittwater Local Environmental Plan 2014

PLEP 2014 came into force in 2014 and is the primary EPI applying to the Proposal. The applicable Clauses of the PLEP 2014 are:

- Clause 2.3 – Zone objectives and land use table
- Clause 4.3 – Height of Buildings
- Clause 7.1 – Acid sulfate soils
- Clause 7.2 – Earthworks

An assessment of the development application against the above relevant Clauses of the PLEP 2014 is provided in the following sections of the this SEE.

Clause 2.3 – Land Use Zoning and Permissibility

The site is zoned R2 – Low Density Residential, as shown in the zoning map excerpt in Figure 10. The provisions of the zone are stated below:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Table 2: Provisions R2 Low Density Residential zone (Source: PLEP)

The proposed dwelling house is permissible with consent in the R2 zone. The proposal is consistent with the objectives of the zone.

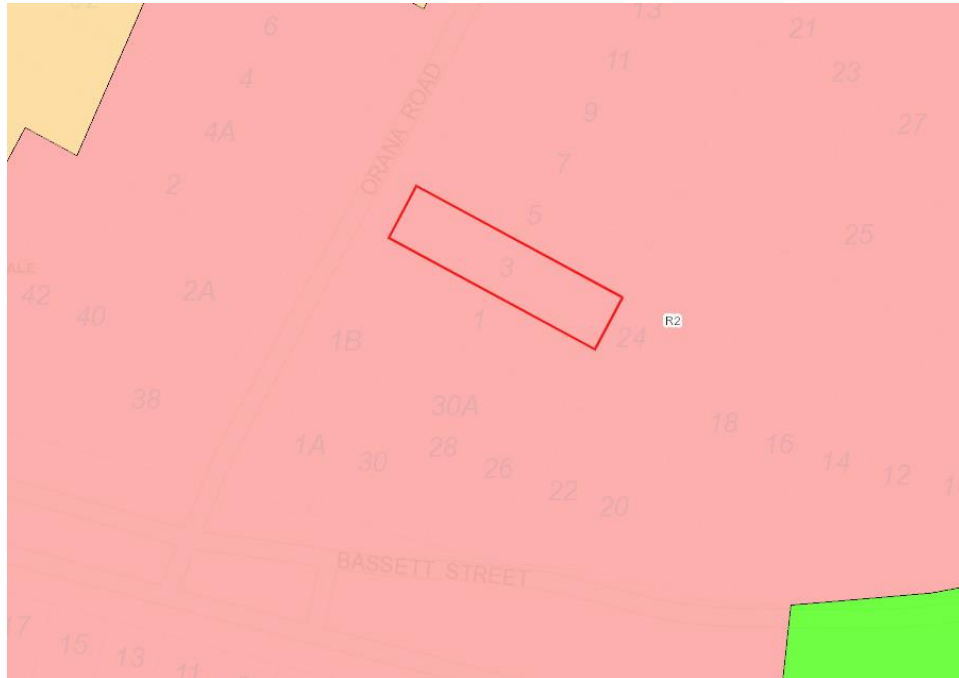


Figure 10. PLEP Zoning Map extract with site outlined in red (Source: NBC Website)

Clause 4.3 – Building Height

The subject site has a maximum height of building of 8.5m, as nominated by clause 4.3 via the Height of Buildings Map. The proposed development reaches a maximum height of approximately 6.7m and is compliant with regards to the maximum building height of 8.5m for the subject property.

Clause 7.1 – Acid sulfate soils

The objective of clause 7.1 is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The site is identified as Class 5 on the Acid Sulfate Soils Map, which is the lowest risk category.

Whilst the application involves excavation to accommodate the proposed works the excavation is not within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. Accordingly, no further investigation is required.

Clause 7.2 - Earthworks

The objective of clause 7.2 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposed earthworks are not excessive and are setback from adjoining properties. The extent of site disturbance is commensurate with that demonstrated on adjoining sites. Council can be satisfied that the proposed earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

A Geotechnical Report, prepared by White Geotechnical, has been submitted in support of the proposal. The report concludes that:

The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.

4.4 Pittwater 21 Development Control Plan

The following Pittwater 21 Development Control Plan requirements are relevant to the development of the site.

Built Form Controls:

Built Form Control	Requirement	Proposed	Compliance
D9.6 Front building line	6.5m, or established building line, whichever is the greater	8.0m	Yes
D9.7 Side and rear building line	2.5m to one side boundary	1.87m (north) The northern elevations of the alfresco area and Bedroom 1 are sited within the 2.5m minimum side setback. The non-compliant elements are setback from the street frontage and are limited in depth. Furthermore, they are off-set by greater setbacks on the southern side of the development, in excess of the 1m minimum prescribed. The setback non-compliances do not prevent the provision of landscaping along the side boundary, and as they are limited to portions of the development that are single storey, they do not contribute to any unreasonable impacts upon the adjoining dwelling to the north.	No * Minor breaches
	1m to the other side boundary	1.3m (south)	Yes
	6.5m	7.2m	Yes
D9.9 Building envelope	Planes projected at 45 degrees from a height of 3.5m above ground level (existing)	Minor breaches to the building envelope control are detailed on the South Elevation provided. The extent of non-compliance is limited to a maximum of 750mm for minor portions of the southern elevation of the upper floor.	No *Minor breaches



Built Form Control	Requirement	Proposed	Compliance
		The breaches to the envelope are not reflective of a building that is unreasonable in bulk and scale. The dwelling will sit below the tree canopy and responds appropriately to the sloping topography. No significant amenity impacts regarding privacy, overshadowing or view loss are associated with the breach to the building envelope control.	
D9.10 Landscaped area	50% of the site area	53% The proposed landscaped area calculation meets the 50% minimum requirement inclusive of the permitted variations to include up to 6% of the total site area associated with recreation areas. This variation is considered to be reasonably applied in relation to the proposal, as the outcomes of the control are nonetheless achieved. In particular, the development appropriately responds to the desired future character of the Mona Vale Locality and is well articulated to ensure that the resultant visual impact is appropriately minimised. Further, the proposal will result in an enhancement of local native landscaping on the site, as demonstrated in the Landscape Plans by Jamie King Landscape Architect.	Yes

Other relevant clauses:

Pittwater 21 DCP clause	Requirement	Proposal	Compliance
A4.1 Mona Vale Locality	The site is situated within the Mona Vale Locality. Development is to be consistent with the desired future character of the Locality including: • Low density development • Two storeys height limit, below tree canopy • Minimise bulk and scale • Existing and new vegetation integrated with existing vegetation • Incorporate façade modulation and shade elements • Step down the slope of the land	The proposal achieves the desired future character of the Mona Vale Locality. The development is maintained well below the 8.5m height limit and is highly articulated, to ensure that bulk and scale of the development is minimised. The proposal will result in an enhancement of the landscape quality of the site, as demonstrated in the Landscape Plan accompanying the application. The proposed development has been designed to step down the slope of the land.	Yes
B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land	Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.	Proposed tree removal (2 x <i>Callistemon citrinus</i>) is qualified in the accompanying Arboricultural Impact Assessment, with replacement plantings demonstrated in the accompanying Landscape Plan by Jamie King Landscape Architect.	Yes
B5.15 Stormwater	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.	A Stormwater management plan has been prepared in accordance with the controls. The increase in site coverage is below the threshold that triggers Onsite stormwater detention.	Yes
B6.1 Access driveways and Works on the Public Road Reserve	Access driveways shall be designed in accordance with Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking. Access Driveway profiles shall conform to the profiles as	The shape and gradients of the proposed access driveway have been designed in accordance with the relevant provisions of AS2890.1 and Council's Driveway Profiles, as detailed on the Garage Level Plan.	Yes



Pittwater 21 DCP clause	Requirement	Proposal	Compliance
	illustrated in Appendix 10 - Driveway Profiles.		
B6.2 Internal Driveways	Internal Driveways are to be designed and constructed to provide safe access and shall have a maximum gradient of 1:5 (V:H). Recommended maximum gradient of an Internal Driveway for a distance of 2m on the approach to a garage, parking area or carport is 1:20 (V:H).	The shape and gradients of the proposed internal driveway have been designed in accordance with the relevant provisions of AS2890.1, as detailed on the Garage Level Plan.	Yes
B6.3 Off-street vehicle parking requirements	The DCP stipulates minimum of 2 off-street parking spaces for a dwelling house with more than 2 bedrooms.	2 spaces	Yes
B8.1 Excavation and Landfill	Excavation greater than 1.5m in depth is required to comply with the Geotechnical Risk Management Policy for Pittwater.	A Geotechnical Report accompanies the proposed development.	Yes
B8.3 Waste Minimisation	Application is to be supported by a Construction and Demolition Waste Management Plan	The application is accompanied by a Waste Management Plan.	Yes
Part C1	Design Criteria for Residential development		
Clause C1.1 Landscaping	All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community.	The proposed development will result in the enhancement of landscaping on the site, as demonstrated in the accompanying Landscape Plan by Jamie King Landscape Architect.	Yes
C1.2 Safety and security	Crime Prevention through Environmental Design (CPTED) principles that are to be used in the assessment of development applications include the following: 1. Surveillance 2. Access Control 3. Territorial Reinforcement 4. Space Management	The design and layout of the dwelling provide the occupants with the ability for casual surveillance of the street.	Yes



Pittwater 21 DCP clause	Requirement	Proposal	Compliance
C1.3 View sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	The subject property is located at the lower end of the street. Upon an inspection of the site and its surrounds, it appears unlikely that the proposal will result in the loss of any views currently enjoyed by adjoining properties.	Yes
C1.4 Solar Access	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 area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).	Shadow diagrams have been prepared and are included in the architectural set of plans (DA08). The proposed development will result in additional overshadowing of the adjoining property at 1 Orana Road during midwinter. However, this is largely unavoidable due to the east-west orientation of the block and the slope of the land (which falls to the south towards 1 Orana Road). It is unclear which windows of the adjoining property are those associated with the primary living room, however Council can be satisfied that sufficient areas of private open space of the adjoining property to the south retain in excess of 3 hours of direct sunlight during midwinter.	Yes
C1.5 Visual Privacy	Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation. Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and	Privacy impacts on adjoining properties have been given careful consideration during the design process. The majority of windows proposed along the side elevations are highlight windows or are protected by virtue of existing boundary fences or dense vegetation. Privacy screens are also proposed, where required, to	Yes



Pittwater 21 DCP clause	Requirement	Proposal	Compliance
	should be located at the front or rear of the building.	maximise privacy between properties. Given these circumstances, the development will afford both the occupants and the neighbours' acceptable levels of visual privacy.	
C1.6 Acoustic Privacy	Noise-sensitive rooms, such as bedrooms, should be located away from noise sources. Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.	The development is consistent with the Protection of the Environment Operations Act 1997 regarding noise generation. The proposed works will not generate any unreasonable level of noise. Noise associated with the pool plant facilities can be appropriately mitigated.	Yes
C1.7 Private Open Space	A minimum of 80m ² of private open space is required per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.	More than 80m ²	Yes
C1.14 Separately accessible structures	A separately accessible structure may be permitted for use as a studio, home office, workshop area, rumpus room and the like, provided that: - it is ancillary to a dwelling; - it is not designed for separate habitation and does not contain any cooking facilities.	A studio is proposed atop of the garage. The studio is not designed for separate habitation and does not contain cooking facilities. The studio is to be used as an extension of the dwelling.	Yes
C1.17 Swimming pool safety	The promotion of personal safety. Compliance with Swimming Pools Act 1992 and Regulations	The swimming pool and spa will be constructed and maintained in accordance with the Swimming Pool Act 1992.	Yes
Part D Mona Vale Beach Locality Specific development controls			
D9.1 Character viewed from a public place	Buildings which front the street must have a street presence and incorporate design elements (such as roof	The proposal achieves the desired future character of the Mona Vale Locality.	Yes



Pittwater 21 DCP clause	Requirement	Proposal	Compliance
	forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted. Parking structures must not be the dominant site feature Landscaping is to be integrated with the building design to screen the visual impact	The proposed development responds to the sloping topography and is consistent with development in the vicinity of the site. An enhanced landscape regime provides additional plantings, appropriate screening and softening of the built form. The proposal sits below the 8.5m building height and the tree canopy which ensures an appropriate scale of the dwelling. The dwelling has been expertly designed utilising a range of materials and finishes with articulated features to minimise its visual impact.	
D9.3 Building colours and materials	External colours and materials shall be dark and earthy tones as shown in the DCP. White, light coloured, red or orange roofs and walls are not permitted. Finishes are to be of a low reflectivity.	A schedule of material and Finishes, prepared by Site Specific Designs, is provided to support this application. Colours comprise of earthy tones.	Yes
D9.12 Fences – General	Front and side fences (within the front building setback) shall: - not exceed a maximum height of 1 metre above existing ground level, - shall be compatible with the streetscape character, and - not obstruct views available from the road. - be constructed of open, see-through, dark-coloured materials	The application seeks consent for a front fence with a maximum height of 1.2m. The proposed fence is stepped to response to the cross-fall of the land, with an average height of 1m. The proposed fence maintains visibility to/from the street, and is to be constructed of natural timber battens with stone pillars. The height and design of the proposed fence is consistent with the character of the streetscape, which features a number of front fences, including solid fences and	No *Minor breaches



Pittwater 21 DCP clause	Requirement	Proposal	Compliance
		those that exceed 1.2m in height.	
D9.14 Construction, retaining walls, terracing and undercroft areas	• Lightweight construction and pier and beam footings should be used in environmentally sensitive areas. • Retaining walls and terracing shall be kept to a minimum. • In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing. • Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.	The subject site is not identified as an environmentally sensitive site. Nonetheless, the extent of site disturbance is appropriately minimised. Some site terracing is proposed to provide a usable recreational area, however, natural site topography is maintained where possible, particularly around the site perimeter.	Yes

Table 3. Relevant clauses of Pittwater 21 DCP

5 Conclusion

This SEE supports a development application for the construction of a new dwelling house with a detached double garage/studio building, a swimming pool and landscaping works at 3 Orana Road, Mona Vale.

The merits of this application have been identified in this assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan.

The proposed dwelling and associated works are permissible and consistent with the intent of the built form controls as they are reasonably applied to the proposal, given the constraints imposed by the sites' sloping topography and environmental characteristics.

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

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

The proposal achieves the objectives of Council's development controls and strategic aims. Consequently, the proposal is recommended for approval.