

# Northern Development Assessment

## STATEMENT OF ENVIRONMENTAL EFFECTS

---

TO ACCOMPANY  
**DEVELOPMENT APPLICATION**

---

FOR  
**PROPOSED GARAGE WITH OFFICE AND GYM ABOVE**

---

AT  
**106 ILUKA ROAD, PALM BEACH**  
**LOT 13/B/DP12979**

Prepared By

**DAVE MOODY**

B.Plan. (UNSW), Dipl. Build. & Const. (MIBT), MPIA.

0401 450 989

dave@ndassessment.com.au

www.ndassessment.com.au

Suite 11, 303 Barrenjoey Road,

Newport NSW

2106.

## CONTENTS

<b>1. INTRODUCTION</b>	<b>3</b>
1.1 Summary	3
1.2 Site Description	4
1.3 The Proposed Development	11
<b>2. PLANNING INSTRUMENTS</b>	<b>13</b>
2.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	13
2.2 State Environmental Planning Policy (Resilience and Hazards) 2021	13
2.3 Pittwater Local Environmental Plan 2014 (PLEP)	16
2.4 Pittwater 21 Development Control Plan	27
<b>3. SECTION 4.15 ASSESSMENT</b>	<b>50</b>
<b>4. SUITABILITY OF THE SITE &amp; THE PUBLIC INTEREST</b>	<b>52</b>
<b>5. CONCLUSION</b>	<b>53</b>

## **1. INTRODUCTION**

### **1.1 Summary**

I have been commissioned to prepare a Statement of Environmental Effects (SEE) in relation to a Development Application (DA) seeking consent for a proposed garage with an office and gym above on land described as Lot 13/B/DP12979, 106 Iluka Road, Palm Beach (The site).

The proposed development is subject to assessment under Part 4 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The following SEE will consider the potential environmental impacts of the development, having regard to the matters for consideration under Section 4.15(1) of the *EP&A Act 1979*.

This SEE also addresses relevant matters under the *Pittwater Local Environmental Plan 2014* and the *Pittwater 21 Development Control Plan*. In the preparation of this SEE consideration has been given to the following documents:

- a) Plans of the proposed development prepared by Henderson and Co dated May 2025;
- b) State Environmental Planning Policy (Resilience and Hazards) 2021
- c) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- d) Pittwater Local Environmental Plan 2014 (LEP)
- e) Pittwater 21 Development Control Plan (DCP)
- f) Planning Principles of the NSW Land and Environment Court.

A site inspection and contextual review of the surrounding area have been undertaken to inform this assessment and ensure the proposal responds appropriately to the established and desired future character of the Palm Beach locality and the Iluka Road streetscape.

The proposed development complies with key planning controls including building height and building envelope. A non-compliance occurs in relation to side setbacks: at ground floor, the structure is built to both side boundaries, while at first floor level, setbacks of 1.75m and 1.655m are provided — exceeding the 1.0m minimum but not achieving the required 2.5m on either side. There is also a minor non-compliance of the front setback control at first floor level. The existing development does not meet the 60% landscaped area requirement; however, the proposal results in a minor increase in landscaped area compared to existing conditions through the removal of hard surfaces and incorporation of elevated planter beds. These non-compliances are addressed through the development's limited scale, sensitive siting, and integrated soft landscaping, which collectively mitigate visual and amenity impacts.

The proposal is considered a positive and site-responsive outcome, aligned with the strategic planning objectives of the Northern Beaches LGA, and represents an appropriate form of residential development within the C4 Environmental Living zone.

## 1.2 Site Description



**Figure 1.2.1 – Subject Site**

The subject site comprises a single, long, and narrow rectangular allotment located on the western side of Iluka Road and legally described as Lot 13 in DP 12979. The site has a total area of approximately 617.5m<sup>2</sup>.

The land is relatively flat with a gentle slope of approximately 1.38% from east (front boundary) to west (rear boundary). The eastern frontage directly addresses Iluka Road, while the western boundary adjoins the Snapperman Beach Reserve, providing direct access to the Pittwater foreshore.

The site is currently occupied by a two-storey residential dwelling set further west on the lot, with an existing garage structure located forward on the site near Iluka Road. This existing garage is located approximately 0.185–0.195m from the northern boundary, with its southeastern corner touching the front boundary.



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

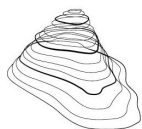
Adjoining properties include:

- To the north (108 Iluka Road): a two-storey brick dwelling with a similar front-garage configuration.
- To the south (104 Iluka Road): a two-storey dwelling that also features built form oriented toward the front boundary.
- To the west: the public reserve and foreshore of Snapperman Beach, providing an open water interface.
- To the east: Iluka Road, which is the primary access point for the site and surrounding dwellings.

The site is not located within a heritage conservation area and does not contain any listed heritage items. It is, however, identified on Council's mapping as being subject to Estuarine Hazard, with an Estuarine Planning Level (EPL) of RL 2.81m AHD applying to the land.

The surrounding locality is defined by low-density residential development, with a distinctive pattern of garages and ancillary structures located near or on the Iluka Road boundary with minimal side setbacks and main dwellings sited further west toward the foreshore. This built form typology contributes to a distinctive layered streetscape, where garages often dominate the street edge, while dwellings benefit from open rear outlooks to Pittwater. A list of similar development to that currently proposed are provided below. I note that this is not a complete list of similar structures along Iluka Road;

### 8 Iluka Road, Palm Beach

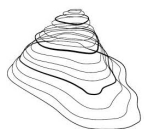


## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

10 Iluka Road, Palm Beach



22 Iluka Road, Palm Beach



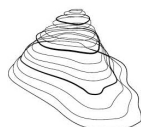


## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### 38 Iluka Road, Palm Beach



### 40 Iluka Road, Palm Beach



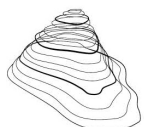
Northern  
Development  
Assessment

## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

44 Iluka Road, Palm Beach



48 Iluka Road, Palm Beach



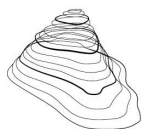


## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### 54 Iluka Road, Palm Beach



### 60 Iluka Road, Palm Beach

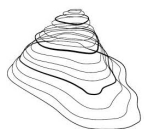


## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### 78 Iluka Road, Palm Beach



### 84 & 86 Iluka Road, Palm Beach





98 Iluka Road, Palm Beach

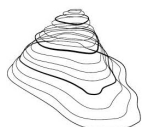


### 1.3 The Proposed Development

The proposed development involves the demolition of the existing garage, gate, and front pathways, and the construction of a new two-storey garage structure with habitable rooms above, incorporating the following elements:

#### Ground Floor (Garage Level)

- Demolition of existing garage and hard surfaces (including gate and front pathway), over which the new structure is to be constructed
- Double garage with two car spaces accessed from Iluka Road
- Bathroom located within the garage at the rear
- Internal staircase providing access to the first floor
- Gatehouse and bin store located immediately south of the garage, abutting the southern boundary
- The garage structure is positioned directly on the Iluka Road boundary (eastern boundary) and is built to both the northern and southern side boundaries at ground level due to the gatehouse and bin area.
- The garage has a front façade width of 8.81 metres, with a 5.2-metre-wide garage door, and a depth of 12.679 metres along the northern boundary



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### First Floor

- Two habitable rooms comprising a home office (northern side) and gym (southern side)
- Internal stair access and habitable floor area containing a home office and gym above the garage footprint
- The office is setback 1.75 metres from the northern boundary; the gym is setback 1.655 metres from the southern boundary
- A wraparound terrace is incorporated on the eastern, northern and southern edges
  - Eastern front setback to the first-floor façade ranges from 4.79 metres (northeast corner) to 1.95 metres (southeast corner)
  - Integrated planter beds include:
    - An 8-metre-long, 1.18-metre-deep planter bed along the front (eastern) parapet
    - A planter extending along the northern edge
    - A planter extending along the southern edge and wrapping around the gym

### Roof and Form

- A pitched roof incorporating a central skylight
- The total proposed building height is approximately 7.55 metres, which complies with the 8.5 metre height limit under Clause 4.3 of the Pittwater LEP 2014

The proposed development is shown on architectural plans prepared by Henderson and Co, dated May 2025. The plans document the full extent of works and should be referred to for technical detailing and architectural articulation.

The proposal responds to the prevailing streetscape character of Iluka Road, which includes multiple examples of garages with habitable rooms above located in close proximity to the front boundary and side boundaries. It achieves a contextually sensitive outcome in relation to building height, site functionality, and landscape design.

## 2. PLANNING INSTRUMENTS

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

#### **Aim of Policy**

- (1) *Regulations under the Act have established a scheme to encourage sustainable residential development (the BASIX scheme) under which:*
  - a) *an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and*
  - b) *the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.*
- (2) *The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.*
- (3) *This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.*

#### **Comment:**

The DA is accompanied by BASIX Certificate No. 1798795S, issued on 6 June 2025 and prepared by Green Choice Consulting. This BASIX Certificate confirms that the proposed development achieves compliance with the relevant objectives and requirements of the State Environmental Planning Policy (Sustainable Buildings) 2004.

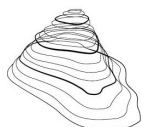
### 2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

#### **Chapter 2 Coastal Management**

##### **2.1 Aim of Chapter**

*The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:*

- a) *managing development in the coastal zone and protecting the environmental assets of the coast, and*
- b) *establishing a framework for land use planning to guide decision-making in the coastal zone, and*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

- c) *mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

### Comment:

The entirety of the subject site is located within both the Coastal Environment Area and the Coastal Use Area. *State Environmental Planning Policy (Resilience and Hazards) 2021* applies to the proposal as it involves development within the coastal zone and seeks to ensure protection of environmental assets and appropriate land use in proximity to sensitive foreshore areas.

In relation to development on land within the Coastal Environment Area, I note the following:

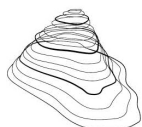
- (a) The proposed development will not impact the integrity or resilience of the biophysical, hydrological (surface and groundwater), or ecological environment.
- (b) The development will not interfere with natural coastal processes or values.
- (c) There will be no adverse impact on the water quality of the marine estate as defined under the *Marine Estate Management Act 2014*.
- (d) The works will not impact any marine vegetation, native vegetation, or fauna habitat, nor will they disturb undeveloped headlands or rock platforms.
- (e) Public access to and along the foreshore is not affected by the proposal.
- (f) No Aboriginal cultural heritage, places, or practices are affected.
- (g) The proposal does not interfere with or impact use of the surf zone.

The proposed works involve the replacement of an existing garage with a new structure in the same general location, immediately adjoining the Iluka Road frontage. The works do not extend into or near the foreshore reserve. No excavation or structural works are proposed within the foreshore area, and the development remains entirely landward of the mapped foreshore building line. Hydrological connectivity, seagrass beds, and coastal environmental functions are unaffected by the proposal.

In relation to development on land within the Coastal Use Area, I note the following:

- (ii) The development does not restrict existing public access along the foreshore.
- (iii) The development will not result in any overshadowing, wind tunnelling, or loss of views from public spaces to the foreshore.
- (iv) The visual amenity and scenic quality of the coast, including nearby headlands and foreshore parkland, will not be impacted.
- (v) The proposal does not impact any Aboriginal cultural heritage, practices or places.
- (vi) The development does not impact cultural or built environment heritage.

The proposed building replaces an existing garage with a similar footprint, while modestly increasing first-floor setbacks and incorporating soft landscaping in the form of planter beds to offset hard surface area. The built form is low scale, sympathetic to surrounding development,



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

and will maintain the existing visual presentation to Iluka Road without introducing bulk, mass, or coastal view loss.

Furthermore, I note that the proposed development does not increase the site's exposure to coastal hazards and is consistent with the objectives of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

### **4.1 Object of this Chapter**

- (1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.*
- (2) In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—*
  - (a) by specifying when consent is required, and when it is not required, for a remediation work, and*
  - (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
  - (c) by requiring that a remediation work meet certain standards and notification requirements.*

#### **Comment:**

Due to the previous lengthy residential history of the subject site, the prevailing evidence does not indicate the existence of contamination on the subject site.

I have not been made aware of any evidence of previous contamination of the subject site. Accordingly, I consider that no further assessment is required under *State Environmental Planning Policy (Resilience and Hazards) 2021*.



## 2.3 Pittwater Local Environmental Plan 2014 (PLEP)

### Zone



### Zone C4 Environmental Living

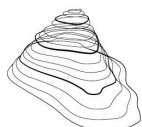
#### 1 Objectives of zone

- 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.

#### 2 Permitted without consent

Home businesses; Home occupations

#### 3 Permitted with consent



Northern  
Development  
Assessment



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

*Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; 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; Water recreation structures*

### **4 Prohibited**

*Industries; Local distribution premises; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3*

### **Comment**

The proposed development, comprising the demolition of the existing garage and the construction of a new two-storey garage structure with habitable rooms above, is permissible with consent within the C4 Environmental Living Zone under the Pittwater Local Environmental Plan 2014.

The proposed development is consistent with the relevant Objectives of the C4 Zone, as follows:

- The development represents a low-impact residential intervention within a residential allotment that is already developed and serviced. The proposal is confined to the eastern portion of the site adjacent to Iluka Road, and does not intrude into ecologically sensitive foreshore or riparian areas. There will be no adverse impact on ecological, scientific or aesthetic values as a result of the works.
- The structure is designed to remain modest in scale, well below the height limit, and located within the already modified portion of the site. The built form integrates effectively with the landform and landscape through the use of setbacks at first floor level, pitched roof design, and elevated planter beds that soften the visual impact and promote green integration.
- The proposed structure is subordinate to the main dwelling, and the works do not change the low-density residential character of the locality. The addition of an ancillary habitable space above the garage supports modern functionality without compromising the zone's intent for low-density, low-impact residential use.
- While the development is located near the foreshore, it does not encroach upon riparian vegetation or mapped estuarine areas. The works are entirely landward of the foreshore building line. Landscaped planter beds are proposed on the structure itself, contributing positively to vegetation coverage and enhancing biodiversity corridors across the site frontage.
- No trees are proposed to be removed, and existing vegetation within the site's foreshore setback is unaffected by the proposed development. The proposal increases landscaped area on-site through the removal of former hardstand and the introduction of elevated planting.

## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

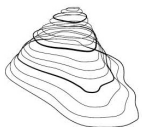
The proposed development provides a highly sympathetic built form outcome that integrates with the existing site character, is consistent with adjoining development along Iluka Road, and achieves the planning outcomes intended for land within the C4 Environmental Living Zone.

### 4.1 Minimum subdivision lot size



(1) *The objectives of this clause are as follows:*

- (a) *to protect residential character and amenity by providing for subdivision where all resulting lots are consistent with the desired character of the locality, and the pattern, size and configuration of existing lots in the locality,*
- (b) *to provide for subdivision where all resulting lots are capable of providing for the construction of a building that is safe from hazards,*
- (c) *to provide for subdivision where all resulting lots are capable of providing for buildings that will not unacceptably impact on the natural environment or the amenity of neighbouring properties,*
- (d) *to provide for subdivision that does not adversely affect the heritage significance of any heritage item or heritage conservation area,*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

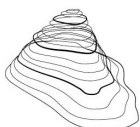
- (e) to provide for subdivision where all resulting lots can be provided with adequate and safe access and services,*
- (f) to maintain the existing function and character of rural areas and minimise fragmentation of rural land,*
- (g) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.*

### **Comment**

The subject site is identified on the Lot Size Map under Clause 4.1 of the Pittwater Local Environmental Plan 2014 as having a minimum lot size requirement of 700m<sup>2</sup>. The existing lot, legally described as Lot 13 in DP 12979, has an area of approximately 617.5m<sup>2</sup> and does not meet the minimum lot size standard for subdivision.

Notwithstanding this, no subdivision is proposed as part of this development application. The existing lot is of sufficient size and dimensions to accommodate a residential dwelling and associated development in a manner consistent with the objectives of the C4 Environmental Living zone and the relevant development standards under the Pittwater LEP 2014 and Pittwater 21 DCP. The lot benefits from regular dimensions, a rectangular configuration, and direct frontage and access to Iluka Road.

The proposed development remains wholly within the existing site boundary and does not involve any reconfiguration or fragmentation of the land. Accordingly, the proposal does not contravene the intent or operation of Clause 4.1 and is consistent with its stated objectives.



#### 4.3 Height of buildings



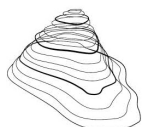
(1) *The objectives of this clause are as follows:*

- (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.*

#### **Comment**

The site is identified on the Height of Buildings Map under the Pittwater Local Environmental Plan 2014 as having a maximum permitted building height of 8.5 metres.

The proposed development complies with this control. The maximum height of the structure, measured from existing ground level to the ridge of the pitched roof, is approximately 7.55





## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

metres. This is comfortably within the permitted height standard. The measurement excludes minor roof structures such as the skylight, which are permissible under the building height definition.

The proposal satisfies the objectives of Clause 4.3 for the following reasons:

- The height and scale of the development are modest and well within the permitted controls, consistent with the low-rise residential character of Iluka Road.
- The proposed structure, comprising a two-car garage with an office and gym above, is of similar or lesser height than several nearby dwellings and secondary structures in the immediate streetscape.
- The design ensures no unreasonable overshadowing of adjacent properties, noting that the structure sits forward on the site and well clear of private open space areas to the west.
- The development does not interfere with any significant views or view corridors and maintains equitable view sharing.
- The proposal responds appropriately to the site's topography. The garage structure sits at natural grade with no excavation proposed, and the first floor is sensitively recessed within the overall roof massing.
- There are no heritage conservation areas or heritage items affecting the site.

### **5.7 Development below mean high water mark**

*(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.*

*(2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).*

### **Comment**

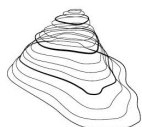
The proposed development does not involve any works located on or below the mean high water mark.

All works are confined to the eastern portion of the site, adjoining Iluka Road, and well removed from the foreshore. The proposed garage structure and associated elements are situated wholly on land above the mean high water mark and within the developable portion of the lot as defined by the Foreshore Building Line Map under the Pittwater LEP 2014.

### **5.9 Preservation of trees or vegetation**

*(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.*

*(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.*



**Comment**

The proposed development does not require the removal of any trees or vegetation that are prescribed for protection under the Pittwater 21 Development Control Plan.

**5.10 Heritage conservation**

**(1) Objectives**

*The objectives of this clause are as follows:*

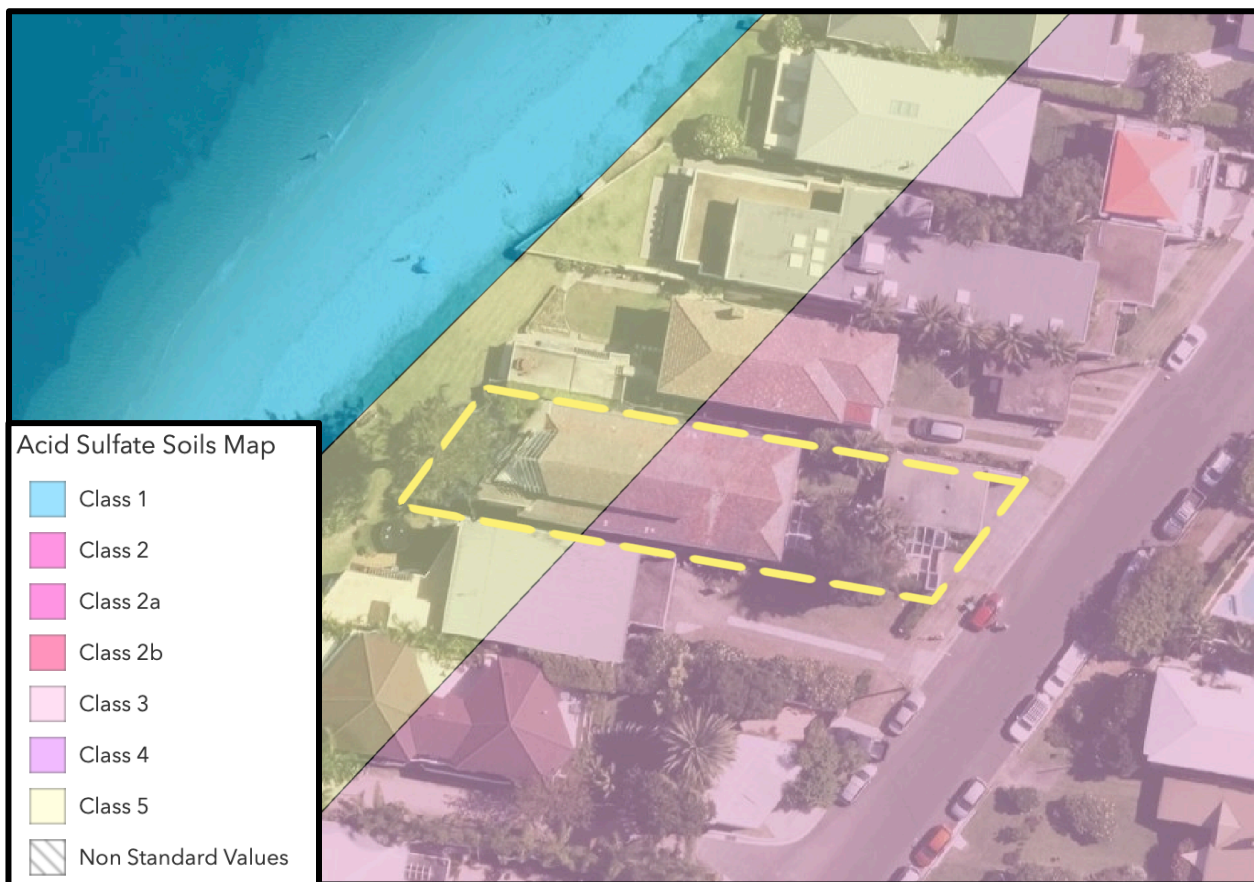
- (a) to conserve the environmental heritage of Pittwater,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

**Comment**

The subject site does not contain any Item of Heritage Significance or Environmental Heritage and is not located in proximity to any Heritage Items. Furthermore, the subject site is not located within a Heritage Conservation Area.



### 7.1 Acid sulfate soils



1. *The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
2. *Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

#### **Comment**

The subject site is mapped as containing both Class 3 and Class 5 Acid Sulfate Soils under the Acid Sulfate Soils Map. The proposed works are located entirely within the Class 3 portion of the site, and no works are proposed within the mapped Class 5 area.

Under the controls applying to Class 3 land, development consent is required where works involve excavation more than 1 metre below natural ground level or where such works are likely to lower the water table by more than 1 metre.

The proposed development does not include excavation exceeding 1 metre in depth. The works consist of a slab-on-ground garage structure with habitable rooms above and are

## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

limited to surface-level construction and standard footings. There is no basement or deep substructure proposed, and no groundwater interference is anticipated.

As such, the proposed development does not trigger Clause 7.1 and is not subject to acid sulfate soils consent requirements. The proposal is consistent with the objective of the clause, as it avoids disturbance to underlying soils and poses no environmental risk associated with acid sulfate conditions.

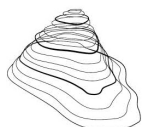
### 7.2 Earthworks

- The objective of this clause 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.*

#### Comment

The proposed development involves only minor earthworks to accommodate footing structures and slab-on-ground construction for the new garage. No basement excavation or deep trenching is proposed. The majority of the site will remain undisturbed, with all works confined to the eastern portion of the lot adjoining Iluka Road.

### 7.8 Limited development on foreshore area



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

*(1) The objectives of this clause are as follows—*

- (a) to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area,*
- (b) to ensure continuous public access along the foreshore area and to the waterway.*

### **Comment**

is mapped as containing land within the foreshore area under the Pittwater LEP 2014. However, the proposed development is located entirely outside the foreshore area, within the eastern portion of the site fronting Iluka Road.

No works are proposed west of the mapped foreshore building line. The new garage and associated structures are situated on previously developed land and do not encroach upon the reserve or the environmentally sensitive waterfront interface.

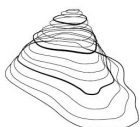
The proposal does not involve any excavation, built form, or landscaping works within the foreshore area and will not result in any obstruction to existing views, movement corridors, or ecological processes.

### **7.10 Essential services**

- 1. Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:*
  - 1. the supply of water,*
  - 2. the supply of electricity,*
  - 3. the disposal and management of sewage,*
  - 4. stormwater drainage or on-site conservation,*
  - 5. Suitable vehicular access.*

### **Comment**

All essential services required for the proposed development are available to the subject site. The land is connected to the existing Sydney Water sewer and water supply networks, and overhead electricity supply is available within the Iluka Road road reserve.



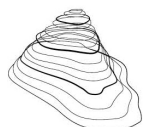
## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### SUMMARY

Table 2.1 provides a summary of the relevant provisions of the LEP and outlines their relationship with the proposed development;

**Table 2.1 – LEP Compliance Summary**

<b>Clause</b>	<b>Control</b>	<b>Comment</b>
<b><i>4.1: Minimum Subdivision Lot Size</i></b>	700m <sup>2</sup> minimum	N/A
<b><i>4.3 Height of Buildings</i></b>	8.5 metres	Complies
<b><i>4.4 Floor Space Ratio</i></b>	N/A	N/A
<b><i>5.10 Heritage</i></b>	Consider Objectives	N/A
<b><i>5.21 Flood planning</i></b>	Consider Objectives	N/A
<b><i>7.1 Acid Sulfate Soils</i></b>	Consider Objectives	Complies
<b><i>7.2 Earthworks</i></b>	Consider Objectives	Complies
<b><i>7.4 Floodplain Risk Management</i></b>	Consider Objectives	N/A
<b><i>7.5 Coastal Risk Planning</i></b>	Consider Objectives	N/A
<b><i>7.6 Biodiversity</i></b>	Consider Objectives	N/A
<b><i>7.7 Geotechnical Hazards</i></b>	Consider Objectives	N/A
<b><i>7.8 Limited development on Foreshore area</i></b>	Consider Objectives	Complies





## 2.4 Pittwater 21 Development Control Plan

### **A4.12 Palm Beach Locality**

#### Desired Character

*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.*

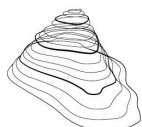
*Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.*

*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.*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

*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.*

### **Comment**

The proposed development is consistent with the desired future character of the Palm Beach locality and responds appropriately to the key outcomes expressed under this clause.

- The proposal maintains the low-density residential use of the site and introduces a two-storey structure containing a garage and habitable rooms above, located in the front portion of the site within a landscaped setting. It retains the prevailing built form pattern of ancillary structures forward of the main dwelling, consistent with numerous nearby examples along Iluka Road.
- The scale of the development is modest and well within the permitted building height, minimising bulk and maintaining a visually recessive presence within the streetscape. The proposal avoids elevated platforms or fill and is built close to natural ground level.
- Landscaped planter beds are integrated into the built form at first-floor level to enhance vegetation coverage and reduce visual massing, contributing positively to the green character of the streetscape.
- The materials and finishes proposed, including natural tones and timber detailing, are in keeping with the informal, coastal design character of Palm Beach. The structure incorporates articulation and shading to maintain design interest and soften its appearance.
- The proposal avoids unnecessary disturbance to the site and makes efficient use of the existing lot layout by placing built form in a previously developed area, thereby preserving the foreshore setting and allowing vegetation to dominate the rear of the site.
- The development benefits from established infrastructure, including water, sewer, electricity and road access, and will not increase demand on local services.

### ***B3.6 Contaminated Land and Potentially Contaminated Land***

#### ***Outcomes***

*Protection of public health.*

*Protection of the natural environment.*

*Successful remediation of contaminated land.*

### **Comment**

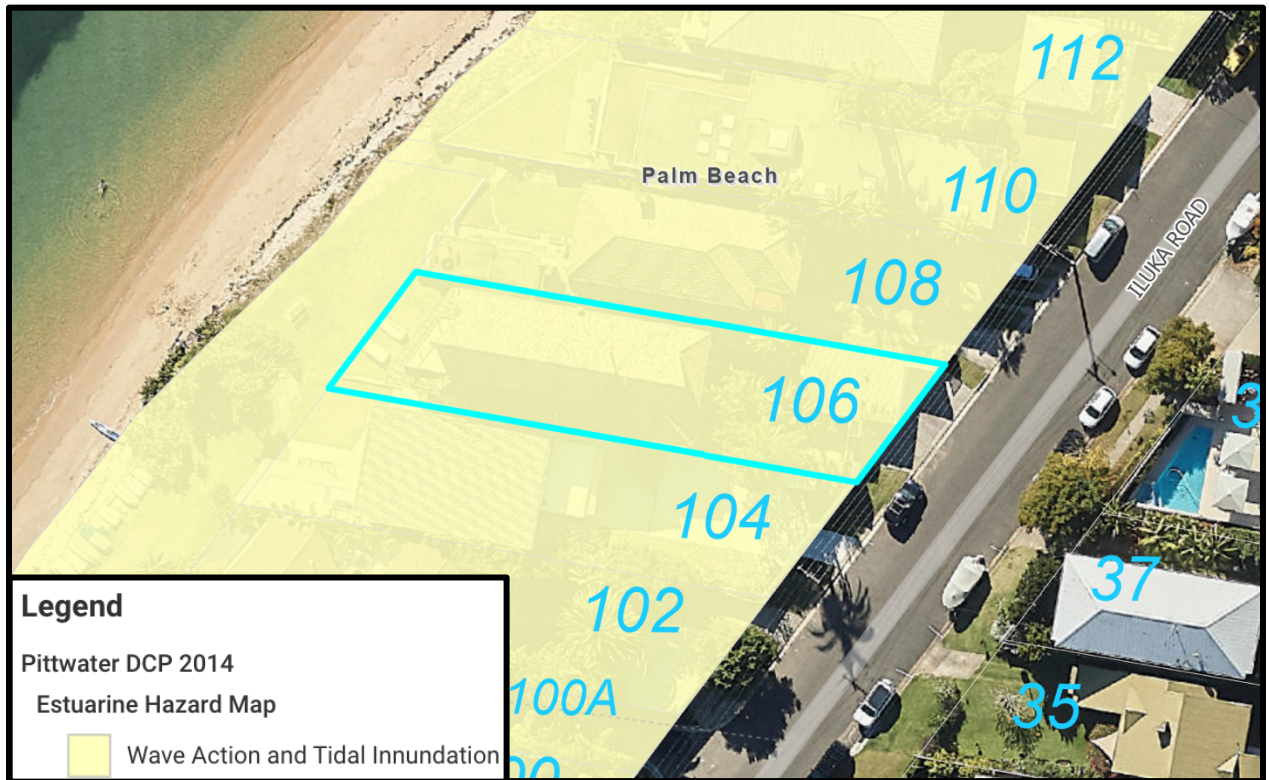
Due to the historic residential use of the subject site it is not considered that there is any contaminated land on the subject site.



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

However, should any potentially contaminated land be uncovered during development it will be handled in accordance with this clause.

### ***B3.7 Estuarine Hazard - Low density residential***



#### *Outcomes*

*Protection of people.*

*Protection of the natural environment.*

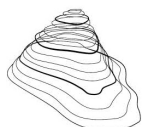
*Protection of private and public infrastructure and assets.*

#### **Comment**

The subject site is mapped as being affected by estuarine hazard under Council's Estuarine Hazard Mapping, with an applicable Estuarine Planning Level (EPL) of RL 2.81m AHD. The proposed development is located entirely within the eastern portion of the site, adjacent to Iluka Road, and well landward of the foreshore.

The finished floor level of the habitable spaces above the proposed garage are located above the adopted EPL. No excavation, structural work, or drainage infrastructure is proposed within or near the mapped hazard area. The works will not impact the foreshore edge, modify flow paths, or alter site drainage patterns.

Given the limited scale of the proposal and its position at the front of the site, the development presents no risk to persons, the environment, or public and private assets. All



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

habitable rooms and service areas are located well above the EPL, and standard construction techniques are proposed.

### **B4.19 Estuarine Habitat**

#### **Outcomes**

*To protect and enhance the mangroves, saltmarsh, seagrasses, intertidal sand/mud flats and other foreshore habitats that comprise the estuarine habitat of Pittwater.*

*Development in the catchment of estuarine habitat is to result in estuarine habitat being retained or enhanced with respect to that development.*

*The physical, chemical and biological processes of estuarine habitats in Pittwater are improved, maintained or restored.*

*The social and cultural values of estuarine habitats are conserved and enhanced.*

*Biodiversity, ecological processes and other estuarine habitat values are conserved.*

#### **Comment**

The subject site is located within the catchment of the Pittwater estuarine system and adjoins Snapperman Beach Reserve to the west. However, the proposed development is limited to the eastern portion of the site, adjacent to Iluka Road, and is entirely outside of the mapped foreshore area.

No works are proposed within or adjacent to any seagrass beds, saltmarsh, intertidal flats, or other sensitive foreshore habitats. The proposal does not involve excavation or modification of any part of the foreshore, and the construction works will not impact marine vegetation, water quality, or biological processes within the estuarine environment.

The works are confined to a previously developed portion of the site and include soft landscaping and planter beds that will contribute positively to biodiversity and stormwater management outcomes. The development will not generate any sediment runoff or waterway pollution due to its location and scale, and erosion control measures will be implemented during construction.

### **B5.13 Development on Waterfront Land**

#### **Outcomes**

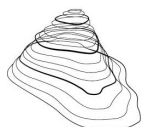
*Protection of waterways and improved riparian health*

*Stormwater and creek flows are safely managed.*

*Appropriate setback between waterways and development*

#### **Comment**

No works are proposed within proximity to the foreshore or riparian corridor. The development maintains a substantial setback from the water's edge and does not involve any disturbance to existing waterfront vegetation, landforms, or drainage paths.



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

Stormwater runoff from the proposed works will be directed to Iluka Road, consistent with Council's drainage requirements. The development will not affect natural flows to the waterway or reduce riparian function.

### **B5.15 Stormwater**

#### **Outcomes**

- *Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;*
- *Minimise the risk to public health and safety;*
- *Reduce the risk to life and property from any flooding and groundwater damage;*
- *Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.*
- *Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*
- *Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*
- *Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.*

#### **Comment**

The proposed development includes a site-appropriate stormwater management system that meets both functional and environmental performance objectives under Clause B5.15.

Roofwater runoff from the new garage and first floor will be directed to a lawful point of discharge via gravity-fed systems, with downpipes connected to a rainwater collection tank and overflow directed to Council's drainage infrastructure within Iluka Road. The development does not involve a basement, and no pump-out or detention system is required.

All stormwater infrastructure will be constructed in accordance with AS3500 and Northern Beaches Council's engineering specifications. The proposal avoids increased impervious area through the use of integrated planter beds and landscaped setbacks, assisting in managing runoff at source.

The development maintains natural overland flow paths and will not affect local drainage patterns, adjoining properties, or Council assets.

## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### **B6.1 Access driveways and Works on the Public Road Reserve**

#### **Outcomes**

*Safe and convenient access.*

*Adverse visual impact of driveways is reduced.*

*Pedestrian safety.*

*An effective road drainage system.*

*Maximise the retention of trees and native vegetation in the road reserve.*

#### **Comment**

The proposed development includes the construction of a new vehicular crossing from Iluka Road to provide access to the ground level garage. The new crossing replaces an existing access point and is designed in accordance with Council's specifications for gradient, width and alignment.

The design satisfies the outcomes of Clause B6.1 in the following respects:

- The proposed driveway provides safe and convenient vehicle access to the site, allowing for forward entry and exit in accordance with best practice standards.
- The driveway is aligned to minimise visual prominence and has been designed to integrate with the surrounding streetscape through low kerbing and landscaping either side.
- Sightlines for both drivers and pedestrians are unobstructed, ensuring a high level of pedestrian safety.
- The development does not require the removal of any significant verge vegetation and retains the existing alignment of trees in the public road reserve. No street trees will be impacted by the works.
- Stormwater runoff from the driveway will be managed through the site's integrated drainage system, which includes on-site collection and discharge to Iluka Road. No overland flow will be directed toward the footpath or public drainage assets.

### **B6.2 Internal Driveways**

#### **Outcomes**

*Safe and convenient access.*

*Reduce visual impact of driveways.*

*Pedestrian safety.*

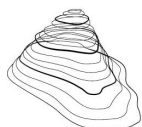
*An effective road drainage system.*

*Maximise the retention of trees and native vegetation.*

*Reduce contaminate run-off from driveways.*

#### **Comment**

The proposed development does not include an internal driveway, as the garage is located immediately adjoining the Iluka Road front boundary. Vehicle access is provided directly



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

from the public road into the garage without the need for any on-site driveway length or transitional hardstand.

This arrangement reduces hard surface coverage across the site and avoids unnecessary removal of landscaping or vegetation. The garage location ensures vehicle movements are short, safe, and clearly separated from the pedestrian path along Iluka Road.

Stormwater from the small paved threshold and garage apron will be captured and managed via the site's drainage system to prevent runoff to the public footpath or road.

Given that no internal driveway is required or proposed, and all vehicle access is managed safely at the street interface, the development is considered consistent with the intent and outcomes of Clause B6.2

### **B6.3 Off-Street Vehicle Parking Requirements**

#### **Outcomes**

*An adequate number of parking and service spaces that meets the demands generated by the development.*

*Functional parking that minimises rainwater runoff and adverse visual or environmental impacts while maximising pedestrian and vehicle safety.*

*Safe and convenient parking.*

#### **Comment**

The proposed development includes a two-car garage located immediately adjoining the Iluka Road frontage. The garage is integrated within a new two-storey structure and provides secure and concealed off-street parking for the site.

The proposed parking arrangement satisfies the demand generated by the development and avoids reliance on on-street parking. The garage is appropriately dimensioned and allows for safe entry and exit movements directly from Iluka Road.

The structure has been designed to minimise its visual impact through the use of modulation, screening, and planting, ensuring that the garage does not dominate the street presentation. The absence of an internal driveway further reduces hardstand area and improves site permeability.

Stormwater runoff from the garage roof and apron will be captured and discharged via a compliant drainage system, with no impact on the public road network.

The proposal satisfies the outcomes of Clause B6.3 by providing safe, functional, and visually integrated parking that supports the use of the site and maintains a high standard of residential amenity.



**B6.7 Transport and Traffic Management**

**Outcomes**

*Safe and orderly traffic, pedestrian and cyclist access to and from all development via the surrounding road network and transport infrastructure.*

*The developer meets the cost of upgrading the surrounding road, and traffic and transport infrastructure to meet the needs generated by the development.*

**Comment**

The proposed development is residential in nature and will not generate a significant increase in vehicle movements to or from the site.

No upgrades to the surrounding road network are considered necessary. The existing street infrastructure can adequately accommodate the expected traffic movements associated with the development. The proposal meets the outcomes of Clause B6.7.

**B8.1 Construction and Demolition - Excavation and Landfill**

**Outcomes**

*Site disturbance is minimised.*

*Excavation, landfill and construction not to have an adverse impact.*

*Excavation and landfill operations not to cause damage on the development or adjoining property.*

**Comment**

The proposed development involves only shallow excavation associated with the footing and slab construction for the new garage structure. No basement is proposed, and all excavation is confined to the building footprint at the front of the site.

The extent of earthworks has been minimised, with no encroachment into landscaped areas, setbacks, or adjoining properties. No vegetation removal is required.

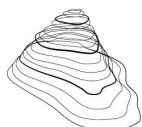
The excavation is minor in scale and low risk in nature. It will be carried out in accordance with best practice and standard geotechnical precautions to ensure no impact to adjacent structures or land.

**B8.3 Construction and Demolition - Waste Minimisation**

**Outcomes**

*Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.*

**Comment**



## **Statement of Environmental Effects – 106 Iluka Road, Palm Beach**

All waste generated by construction of the residential dwellings will be carried out in accordance with this clause with all waste being disposed of correctly and re-used on site where possible.

A Waste Management Plan accompanies this DA.

### **B8.4 Construction and Demolition - Site Fencing and Security**

#### **Outcomes**

*Ensuring public safety.*

*Protection of public domain.*

#### **Comment**

The subject site will implement site fencing and security throughout the construction period.

### **B8.5 Construction and Demolition - Works in the Public Domain**

#### **Outcomes**

*Protection of Infrastructure.*

*Ensuring Public Safety.*

*Compliance with the Roads Act 1993.*

#### **Comment**

All works carried out in the public domain will be carried out in accordance with this clause ensuring that all existing infrastructure is protected and safe work practices are implemented.

### **B8.6 Construction and Demolition - Traffic Management Plan**

#### **Outcomes**

*Minimal disturbance to the residential community.*

*Protection of Roads.*

#### **Comment**

It is not considered that the proposed works will cause unreasonable disturbance on the existing road network.

### **C1.1 Landscaping**

#### **Outcomes**

*A built form softened and complemented by landscaping.*

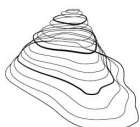
*Landscaping reflects the scale and form of development.*

*Retention of canopy trees by encouraging the use of pier and beam footings.*

*Development results in retention of existing native vegetation.*

*Landscaping results in the long-term retention of Pittwater's locally native tree canopy.*

*Landscaping retains and enhances Pittwater's biodiversity by using locally native plant*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

*species*

*Landscaping enhances habitat and amenity value.*

*Landscaping results in reduced risk of landslip.*

*Landscaping results in low watering requirement.*

### **Comment**

The proposed development incorporates a landscape design that complements the scale and location of the new garage structure and contributes positively to the landscape character of Iluka Road. The site achieves a net increase in landscaped area, from 293.7m<sup>2</sup> to 304.7m<sup>2</sup>.

This increase is made possible by the removal of existing hard surface areas, over which the new structure will be partially constructed, as well as the incorporation of elevated planter beds into the design. These planters run along the northern, eastern, and southern edges of the structure and provide additional soft landscaping coverage that contributes both visually and ecologically.

The landscape scheme includes native plant species selected for their low water requirements and biodiversity value. Existing vegetation has been retained where feasible to minimise disturbance and maintain continuity in landscape presentation.

The integrated landscaping reduces the visual prominence of the built form, enhances site permeability, and reinforces the natural coastal character of the locality. The proposal satisfies the outcomes of Clause C1.1 by delivering a landscape strategy that is functional, ecologically appropriate, and well-integrated with the architectural form.

### **C1.2 Safety and Security**

#### **Outcomes**

*On-going safety and security of the Pittwater community.*

*Opportunities for vandalism are minimised.*

*Inform applicant's of Council's requirements for crime and safety management for new development.*

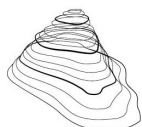
*Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements*

*Identify crime and safety priority areas in Pittwater LGA*

*Improve community safety and reduce the fear of crime in the Pittwater LGA*

*Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety.*

### **Comment**



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

The proposed development has been designed in accordance with CPTED (Crime Prevention Through Environmental Design) principles to ensure safety, passive surveillance, and clear spatial legibility.

The garage is located at the front of the site and directly accessed from Iluka Road, allowing clear observation of entry points and minimising opportunities for concealment. The habitable rooms above the garage maintain direct visual connection to the street, further supporting passive surveillance and reducing the likelihood of antisocial behaviour.

Access points are clearly defined and secure. External lighting will be provided at entries to enhance visibility and user comfort during low-light conditions. No solid fencing is proposed to the Iluka Road boundary, and the development maintains an open frontage that supports sightlines and safety.

The layout ensures no blank or inactive street frontages are created, and the design avoids enclosed or hidden areas that might otherwise encourage vandalism or reduce perceived safety.

### **C1.3 View Sharing**

#### **Outcomes**

*A reasonable sharing of views amongst dwellings.*

*Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.*

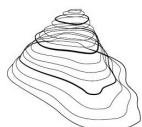
*Canopy trees take priority over views.*

#### **Comment**

The subject site is located on the western side of Iluka Road, with a generally flat topography and no direct view corridors through or across the site from public vantage points. The proposed development is located at the front of the site and replaces an existing garage structure.

The new structure is modest in height, with a pitched roof form and a maximum height well below the LEP limit. The design does not obstruct any existing views to Pittwater from neighbouring properties, as those views are already screened or filtered by existing vegetation and dwellings. No formal view corridors are mapped or evident across the site.

The proposal maintains a built form that is both setback and recessed in key areas, preserving openness and avoiding any unreasonable view loss to neighbouring dwellings. Existing canopy vegetation is retained where possible and no view corridors through trees are proposed to be cleared.



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

The proposal satisfies the outcomes of Clause C1.3 by maintaining equitable view sharing, avoiding impact on public vistas, and prioritising vegetation over view access in accordance with Council's principles.

### **C1.4 Solar Access**

#### **Outcomes**

*Residential development is sited and designed to maximise solar access during mid-winter.*

*A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.*

*Reduce usage and/dependence for artificial lighting.*

#### **Comment**

Shadow diagrams submitted with the application confirm that the proposed development will maintain appropriate solar access to adjoining properties. The siting and form of the new garage structure have been designed to limit overshadowing, particularly to the southern boundary.

The structure is located forward on the site, which avoids casting significant shadow over the main private open space or principal living areas of adjoining dwellings. Shadow impacts are largely limited to the early morning hours on mid-winter days and primarily affect driveways and peripheral areas, not active open spaces.

The building remains comfortably within the prescribed height limit and building envelope and incorporates a pitched roof that reduces overshadowing compared to flat-roof alternatives.

The development also benefits from favourable solar access to internal habitable spaces, including the proposed office and gym, further supporting energy efficiency and amenity.

The proposal satisfies the outcomes of Clause C1.4 by providing good solar access to both the subject site and neighbouring properties and minimising dependence on artificial lighting and heating.

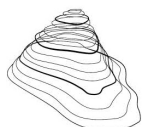
### **C1.5 Visual Privacy**

#### **Outcomes**

*Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.*

*A sense of territory and safety is provided for residents.*

#### **Comment**





## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

The proposed development maintains a high standard of visual privacy through a combination of sensitive siting, limited openings to neighbouring properties, and the incorporation of external screening.

The first floor of the proposed structure contains no windows along the southern elevation, eliminating any potential for overlooking toward the adjoining property at 104 Iluka Road. Along the northern elevation, the office includes windows that are fitted with external louvred privacy screens to prevent direct lines of sight into neighbouring private open space at 108 Iluka Road.

The wraparound terrace is surrounded by planter beds that act as both a visual buffer and spatial separator. These elements ensure views are directed internally over the subject site and not toward adjoining lots.

All ground floor areas are screened by boundary fences, vegetation, or structure placement. No habitable rooms are oriented toward sensitive areas of adjacent dwellings, and side setbacks are maintained in accordance with DCP requirements.

The development has been designed to avoid intrusive or unreasonable overlooking while still maintaining good solar access and internal amenity. The proposal satisfies the outcomes of Clause C1.5 by ensuring visual privacy is preserved for both future occupants and neighbouring residents.

### **C1.6 Acoustic Privacy**

#### **Outcomes**

*Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.*

*Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas*

#### **Comment**

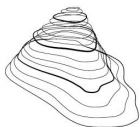
The proposed development is modest in scale and residential in use, with no communal areas or high-noise activities. Habitable rooms are acoustically separated from boundaries, and all plant will be installed in accordance with Council and Australian Standards.

The proposal is not expected to generate offensive noise and satisfies the outcomes of Clause C1.6.

### **C1.7 Private Open Space**

#### **Outcomes**

*Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

*Private open space is integrated with, and directly accessible from, the living areas of dwellings.*

*Private open space receives sufficient solar access and privacy.*

### **Comment**

The proposed development does not alter the main area of private open space located at the rear of the existing dwelling. This space remains large, usable, and directly accessible from internal living areas.

The new works are confined to the front of the site and do not impact the function, privacy or solar access of the existing open space. The proposal satisfies the outcomes of Clause C1.7.

### **C1.12 Waste and Recycling Facilities**

#### **Outcomes**

*Waste and recycling facilities are accessible and convenient, and integrate with the development.*

*Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.*

### **Comment**

Waste and recycling facilities have been incorporated into the design of the residential dwelling. Please refer to the Architectural Plans and Waste Management Plan accompanying this DA.

### **C1.13 Pollution Control**

#### **Outcomes**

*Development that does not adversely impact on public health, the environment or other lands.*

### **Comment**

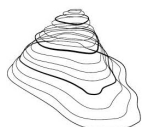
The proposed residential development is not considered to cause unreasonable pollution levels, however design measures are to be implemented into the build to ensure compliance with this control.

### **C1.14 Separately Accessible Structures**

#### **Outcomes**

*Separately accessible structures that provide a recreational or office function for residents.*

### **Comment**



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

The proposed development includes a separately accessible structure containing a home office and gym above a garage. The structure does not include any kitchen or laundry facilities and is not intended to function as a self-contained dwelling.

The rooms are designed to serve a recreational and work-from-home purpose, ancillary to the main dwelling, and comply with Council's intent to support flexible use structures that do not enable separate habitation.

### **C1.23 Eaves**

#### **Outcomes**

*Housing that reflects the coastal heritage and character of Pittwater.*

*Optimise roof forms.*

*Appropriate solar access and shading is achieved*

#### **Comment**

The proposed development has been designed to remain in keeping with the character of the surrounding area implementing shading devices whilst ensuring appropriate solar access is achieved.

### **C1.24 Public Road Reserve - Landscaping and Infrastructure**

#### **Outcomes**

*Desirable character of the Pittwater streetscape.*

*Consistency in the design and construction of landscape works in the road reserve.*

#### **Comment**

The proposed development includes minor works in the Iluka Road reserve associated with the construction of a new vehicular crossing. These works will be undertaken in accordance with Council's design specifications and subject to the necessary approvals under the Roads Act 1993.

No significant vegetation is proposed to be removed, and the existing verge character will be retained and reinstated where required. The design will not detract from the public domain and will maintain consistency with the existing streetscape.

### **C1.25 Plant, Equipment Boxes and Lift Over-Run**

#### **Outcomes**

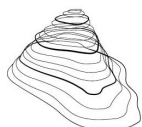
*To achieve the desired future character of the Locality.*

*The bulk and scale of the built form is minimised.*

*Equitable preservation of views and vistas to and/or from public/private places.*

*To achieve reduction in visual clutter.*

*The appropriate location and design of noise generating equipment.*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### **Comment**

All plant and equipment boxes shall be visually and acoustically treated to ensure minimal impact on surrounding new and existing development.

### **D12 Palm Beach Locality**

#### **D1.1 Character as viewed from a public place**

##### ***Outcomes***

*To achieve the desired future character of the Locality.*

*To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.*

*To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.*

*The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation.*

*High quality buildings designed and built for the natural context and any natural hazards.*

*Buildings do not dominate the streetscape and are at 'human scale'. Within residential areas, buildings give the appearance of being two-storey maximum.*

*To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.*

*To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.*

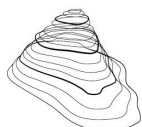
*To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land.*

### **Comment**

The proposed development is consistent with the desired character of the Palm Beach locality and responds sensitively to its presentation to Iluka Road. The structure presents as a well-articulated two-storey form that reads as secondary to the main dwelling and remains subordinate in scale to the natural landscape and surrounding built form.

The garage and upper level are located at the front of the site, replacing an existing garage structure, and do not encroach into the foreshore or vegetated areas. The design remains within the permitted height limit and adopts a pitched roof form, recessed upper level, and integrated landscaping, all of which assist in softening the visual impact of the built form.

The eastern elevation is balanced with materials and planting that break up bulk and maintain a landscaped frontage. Elevated planter beds and articulated setbacks contribute to a built form that integrates well with the surrounding streetscape while minimising dominance.





## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

The structure is clearly residential in scale and use, and reflects the informal, low-rise rhythm that characterises the Iluka Road frontage. The development avoids excessive massing or bulk and maintains visual consistency with the low-density character of the area.

### D12.3 Building colours and materials

#### Outcomes

*The development enhances the visual quality and identity of the streetscape.*

*To provide attractive building facades which establish identity and contribute to the streetscape.*

*To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.*

*The colours and materials of the development harmonise with the natural environment.*

*The visual prominence of the development is minimised.*

*Damage to existing native vegetation and habitat is minimised.*

#### Comment

The proposed development adopts a restrained and natural material palette appropriate to its coastal and vegetated context. The finishes include soft neutral tones, matte surfaces, and timber detailing that reduce visual prominence and harmonise with the surrounding landscape.

The garage structure and upper level incorporate a high level of articulation and detailing, including planters and external louvres that further soften the built form. No reflective or synthetic materials are proposed, and all finishes are consistent with the subdued coastal character of Iluka Road.

The colours and materials have been selected to minimise contrast with the natural environment and ensure the structure integrates with both built and landscape elements of the site. The proposal satisfies the outcomes of Clause D12.3.

### D12.5 Front building line

#### Outcomes

*Achieve the desired future character of the Locality.*

*Equitable preservation of views and vistas to and/or from public/private places.*

*The amenity of residential development adjoining a main road is maintained.*

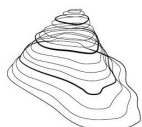
*Vegetation is retained and enhanced to visually reduce the built form.*

*Vehicle manoeuvring in a forward direction is facilitated.*

*To preserve and enhance the rural and bushland character of the locality.*

*To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*

*To encourage attractive street frontages and improve pedestrian amenity.*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

*To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

### **Comment**

Under the Pittwater 21 DCP, the applicable front building line control for land zoned C4 Environmental Living adjoining the western side of Iluka Road is nil setback for garages and 3.0 metres for all other structures.

The proposed garage is located on the front boundary and complies with the nil setback requirement for garage structures. Above the garage, the first floor provides habitable rooms in the form of a home office and gym. These rooms are generally recessed behind the 3.0 metre front building line, with the exception of two small portions that encroach forward:

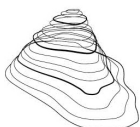
- Approximately 1.5m<sup>2</sup> at the south-eastern corner of the office
- Approximately 1.0m<sup>2</sup> at the south-eastern corner of the gym

These minor encroachments are limited to two corners of the structure and do not extend across the full façade width. The overall first floor massing is stepped, articulated, and softened by integrated planter beds along the parapet edge, which reduce perceived bulk and assist in maintaining a visually recessive presentation to Iluka Road.

The encroachments do not obstruct any important views, reduce residential amenity, or compromise the landscaped quality of the streetscape. The proposed form reflects the established pattern of garages and upper-level additions positioned forward on sites along Iluka Road.

The proposal satisfies the outcomes of Clause D12.5 as follows:

- Achieves the desired character by adopting a low-rise built form with articulated setbacks and integrated landscaping
- Maintains existing views and does not obstruct any public or private vistas
- Sits comfortably in a low-speed, low-traffic environment, and maintains amenity for neighbouring residential uses
- Retains existing boundary vegetation and incorporates new elevated planter beds to visually soften the structure
- Allows safe and direct vehicle access with no impact to manoeuvrability
- Maintains a consistent scale and form with surrounding development and avoids excessive visual dominance
- Supports an attractive and pedestrian-friendly street interface with limited hardstand and generous landscaped framing
- Responds to the prevailing spatial pattern of Iluka Road and reinforces the character of the existing urban environment



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

In this context, the minor non-compliance with the 3.0 metre front setback for habitable rooms is considered reasonable and well-justified.

### **D12.6 Side and rear building line.**

#### **Outcomes**

*To achieve the desired future character of the Locality.*

*The bulk and scale of the built form is minimised.*

*Equitable preservation of views and vistas to and/or from public/private places.*

*To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

*To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*

*Substantial landscaping, a mature tree canopy and an attractive streetscape.*

*Flexibility in the siting of buildings and access.*

*Vegetation is retained and enhanced to visually reduce the built form.*

*To ensure a landscaped buffer between commercial and residential zones is established.*

#### **Controls**

*The minimum side and rear building line for built structures including pools and parking structures other than driveways, fences and retaining walls, shall be in accordance with the following -*

*2.5 at least to one side;*

*1.0 for other side*

*6.5 rear unless Foreshore Building Line applies*

#### **Comment**

The proposed development does not comply with the minimum side boundary setbacks at either ground or first floor level.

At ground floor:

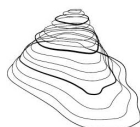
- The garage is built to the northern boundary
  - The gatehouse, mail and waste storage area are built to the southern boundary
- This results in a nil setback to both sides, which is non-compliant.

At first floor:

- The office is setback 1.75 metres from the northern boundary
  - The gym is setback 1.655 metres from the southern boundary
- While these upper level setbacks exceed 1.0 metre, they do not achieve the required 2.5 metre setback to one side, meaning the first floor also does not strictly comply with the numerical control.

Despite this, the setbacks provided are considered acceptable for the following reasons:

- The structure is modest in scale and located entirely within the front portion of the site



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

- Both side elevations are articulated and softened by planter beds, external screening and visual relief between upper and lower levels
- The adjoining property to the north contains an existing garage and driveway opposite the proposed garage and office, while the adjoining property to the south is separated by boundary planting and existing setbacks
- There is no unreasonable visual bulk, overshadowing or privacy impact arising from the design

There is no rear encroachment, and the rear portion of the site remains open, landscaped and compliant.

The proposal satisfies the outcomes of Clause D12.6 as follows:

- Achieves the desired future character by reflecting the forward-sited garage typology common along Iluka Road
- Minimises bulk and scale through recessed upper levels and landscape integration
- Avoids obstruction of view corridors and allows for equitable view sharing
- Maintains solar access and privacy for adjoining properties through thoughtful window placement and non-habitable side uses
- Provides generous rear open space with no encroachment into the foreshore or rear setback
- Integrates vegetation and planter beds to reduce visual impact
- Reflects a built form that is consistent with the existing spatial pattern of Iluka Road and is appropriate in the context of nearby dwellings

### D12.8 Building envelope

#### Outcomes

*To achieve the desired future character of the Locality.*

*To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.*

*To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.*

*The bulk and scale of the built form is minimised.*

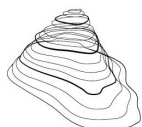
*Equitable preservation of views and vistas to and/or from public/private places.*

*To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*

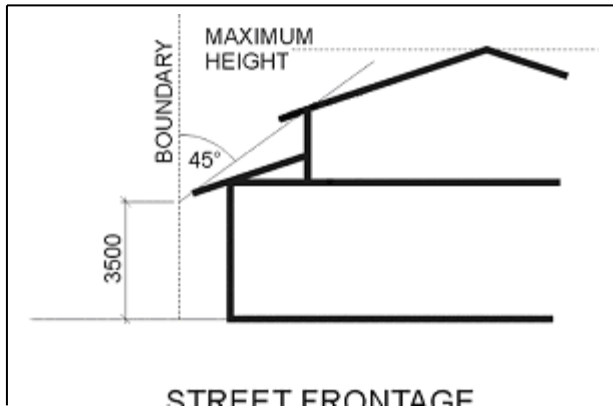
*Vegetation is retained and enhanced to visually reduce the built form.*

#### Controls

*Buildings are to be sited within the following envelope:*







**Comment**

The proposed development complies with the building envelope control under Clause D12.8 of the Pittwater 21 DCP.

The primary walls of the structure, including both ground and first floor elements, are wholly contained within the required 45-degree envelope projected from a height of 3.0 metres at each side boundary. Only minor architectural elements such as roof eaves and the pitched roof form itself extend beyond the envelope, which is expressly permitted under the control.

The design minimises bulk through upper-level articulation, planter beds, and a sloping roof profile that steps back from each boundary. The resulting built form is respectful of neighbouring amenity, avoids visual dominance, and supports privacy and solar access.

The development maintains appropriate separation from side boundaries, allows for landscape integration, and is consistent with the spatial character of Iluka Road.

The proposal satisfies the control and meets the outcomes of Clause D12.8.

***D12.10 Landscaped Area - Environmentally Sensitive Land***

***Outcomes***

*Achieve the desired future character of the Locality.*

*The bulk and scale of the built form is minimised.*

*A reasonable level of amenity and solar access is provided and maintained.*

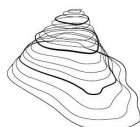
*Vegetation is retained and enhanced to visually reduce the built form.*

*Conservation of natural vegetation and biodiversity.*

*Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*

*To preserve and enhance the rural and bushland character of the area.*

*Soft surface is maximised to provide for infiltration of water to the water table, minimise runoff and assist with stormwater management.*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

### **Comment**

The site is subject to a 60% minimum landscaped area requirement under Clause D12.10. For a site area of 617.5m<sup>2</sup>, this equates to 370.5m<sup>2</sup>.

The proposed development provides 304.7m<sup>2</sup> of landscaped area, equivalent to 49.3% of the site. While this represents a numerical shortfall of approximately 65.8m<sup>2</sup>, it results in an increase compared to the existing landscaped area of 293.7m<sup>2</sup>.

This improvement is achieved through:

- The removal of existing hardstand areas at the front of the site, previously associated with an older garage and driveway
- The incorporation of elevated planter beds surrounding the first floor, including planters to the northern, eastern and southern façades
- Retention of soft landscaping to the rear of the site, which remains unaffected by the development

These measures help reduce visual bulk, soften the built form when viewed from the street and adjoining properties, and improve stormwater management outcomes by increasing infiltration and reducing impervious surfaces relative to the current site condition.

The existing landscaped area is 293.7m<sup>2</sup>, which will be increased to 304.7m<sup>2</sup> through demolition of hard surfaces and inclusion of elevated planter beds. While this represents a numerical shortfall (60% required equates to 370.5m<sup>2</sup>), it reflects a material improvement in the site's soft landscape quality and permeability. The proposal maintains an appropriate balance between built form and landscape, consistent with the outcomes of Clause D12.10.

### **D12.14 Scenic Protection Category One Areas**

#### **Outcomes**

*To achieve the desired future character of the Locality.*

*To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront.*

*Maintenance and enhancement of the tree canopy.*

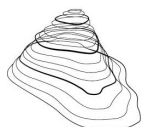
*Colours and materials recede into a well vegetated natural environment.*

*To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component*

*To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.*

*To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*

*To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.*



## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

*Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.*

### **Comment**

The subject site is mapped within a Scenic Protection Category One Area. The proposed development is located entirely within the front portion of the site and does not extend into the foreshore or vegetated areas visible from the waterway.

The scale and massing of the structure are modest, with a pitched roof and articulated façades that reduce bulk. These elements ensure that the development is visually recessive and does not compete with the natural landscape when viewed from Pittwater or public foreshore areas. Colours and materials have been selected for their natural tones and matte finish, ensuring the building visually recesses into the streetscape and surrounding environment.

The development is not prominent when viewed from Pittwater or surrounding public reserves. View sharing is maintained through the limited height and forward positioning of the structure, and the rear of the site remains open and vegetated.

The proposal retains and enhances planting through the integration of planter beds, soft landscaping and boundary vegetation, maintaining the landscape dominance expected in scenic protection areas.

The development is considered consistent with the outcomes of Clause D12.14 and reinforces the visual character of Pittwater's natural setting.

### 3. SECTION 4.15 ASSESSMENT

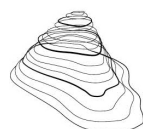
Assessment of the current DA requires consideration under the provisions of Section 4.15 of the Environmental Planning and Assessment Act in terms of the merits of the proposal.

Previous sections of this SEE have addressed relevant matters to be considered under Section 4.15, in particular the relevant environmental Planning Instruments and Development Control Plan.

The following additional comments are provided for assessment: -

**Table 3.1: Section 4.15 Summary**

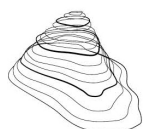
<b>Impact on the Natural Environment</b>	
<b>Matter</b>	<b>Potential Impact?</b>
<b>Acid Sulfate Soils</b>	Please refer to previous comments contained within the SEE.
<b>Flooding</b>	The subject site is not identified as flood prone land.
<b>Bushfire</b>	The site is not identified as bushfire prone land.
<b>Drainage</b>	This matter has been addressed within the SEE.
<b>Flora &amp; Fauna</b>	This matter has been addressed throughout the SEE.
<b>Impact on the Built Environment</b>	
<b>Matter</b>	<b>Potential Impact?</b>
<b>Aboriginal Cultural Heritage</b>	A search of the AHIMS concludes that there are no known records of Aboriginal sites or places within the immediate vicinity of the subject site. Based on the disturbed nature of the site, and having regard to the considerations in the Code, it is considered that the presence of artefacts and or sites of Aboriginal heritage value would be highly unlikely.
<b>Environmental Heritage</b>	The site does not contain any known items of environmental heritage.
<b>Traffic</b>	This matter has been addressed in the SEE.
<b>Scenic qualities</b>	The proposed development is consistent with the current and future character of the locality as expressed within the provisions of LEP 2014 and the DCP. For the reasons outlined in this SEE, I consider that the proposed development will not have an adverse impact on the scenic qualities of the area.
<b>Compatibility with adjacent land uses</b>	The proposed development is compatible with adjoining residential dwellings.
<b>Height, Bulk and Scale</b>	The proposed height, bulk and scale are eminently reasonable for the reasons outlined in this SEE.





## Statement of Environmental Effects – 106 Iluka Road, Palm Beach

Impact on the Natural Environment	
Matter	Potential Impact?
Overshadowing	Please refer to previous comments in relation to Overshadowing Impact.
Overlooking	Please refer to previous comments in relation to Overlooking Impact.
Acoustic	Please refer to previous comments in relation to Acoustic Impact.
Views and vistas	For the reasons outlined in this SEE, the proposed development will not have an adverse impact on views and vistas from private properties or the public domain.
Site design	The site design has been configured to ensure that no unreasonable impacts will result.
Public domain	As previously noted, there will be no adverse impact on the public domain.



#### **4. SUITABILITY OF THE SITE & THE PUBLIC INTEREST**

The proposed development will enhance the use of the low density residential nature of the site, providing a greater level of access and amenity without unreasonable impacts on adjoining lands or representing an overdevelopment of the site.

The proposal will not result in any negative social or economic impacts.

The site is suitable to accommodate the proposed development.

Approval of the development does not raise any issues contrary to the public interest.

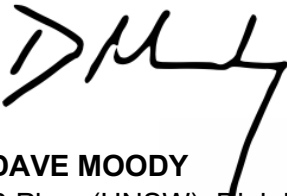
## **5. CONCLUSION**

The proposed development relates to the demolition of the existing garage and the construction of a new garage with habitable rooms above.

The proposal is consistent with the relevant objectives of the C4 Environmental Living Zone and complies with the key provisions of the Pittwater Local Environmental Plan 2014. While variations are proposed to side setbacks and landscaped area under the DCP, these are offset by the increased landscaped area compared to existing conditions, improved stormwater outcomes, and the contextually appropriate siting of the structure.

The development will not result in unacceptable ecological or amenity impacts to adjoining properties and presents a respectful and site-responsive built form outcome.

As detailed throughout this report, the matters for consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979 have been satisfactorily addressed, demonstrating that the proposed development is suitable for the site and compatible with the surrounding locality.



**DAVE MOODY**

B.Plan. (UNSW), Dipl. Build. & Const. (MIBT), MPIA.

0401 450 989

[dave@nda.live](mailto:dave@nda.live)

[www.nda.live](http://www.nda.live)

Suite 11, 303 Barrenjoey Road, Newport NSW 2106

