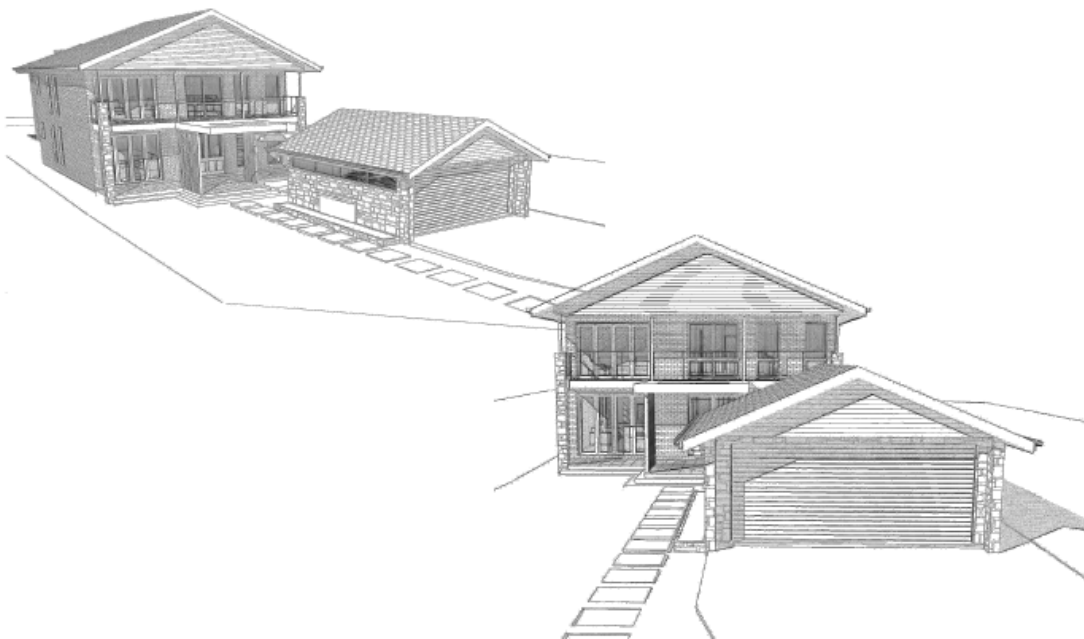


**STATEMENT OF
ENVIRONMENTAL EFFECTS**

Alterations and additions including
new detached double garage

**19 ILUKA ROAD
PALM BEACH**



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Statement of Environmental Effects

Alterations and additions including new detached double garage

19 Iluka Road, Palm Beach

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1.0 INTRODUCTION

This document forms a component of a development application that proposes alterations and additions to the existing dwelling house including the construction of a new detached double garage at the front of the property, alterations to the front facade of the dwelling and the construction of a new entrance patio.

In the preparation of this document consideration has been given to the following statutory planning regime:

- The Environmental Planning and Assessment Act, 1979 as amended (The Act).
- Pittwater Local Environmental Plan 2014 (PLEP).
- Pittwater 21 Development Control Plan (P21DCP).

A complete set of architectural drawings including floor plans, elevations and sections have been prepared in support of the development proposed. The proposal is also accompanied by a site survey and Flood Risk Management Report.

The proposed works are permissible, being ordinarily ancillary to the existing dwelling house, and consistent with the desired outcomes contained within PLEP 2014 and P21DCP and the historical built form characteristics established along this section of Iluka Road. The proposed single storey garage will not give rise to any adverse streetscape impacts with the streetscape appearance of the dwelling significantly enhanced as a consequence of the front façade design changes proposed.

The proposal succeeds when assessed against the heads of consideration pursuant to s4.15(1) of the Act. It is considered that the application, the subject of this document, succeeds on merit and is appropriate for the granting of consent.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The Site

The subject property known as Lot 6, DP 17210, No. 19 Iluka Road, Palm Beach. The property is irregular in shape having splayed frontage to Iluka Road of 22.5 metres, variable depth of between 60.31 and 70.105 metres and an area of 963.5 square metres. The site is relatively flat with a slight fall across its surface towards the street.

The subject property is occupied by a 2 storey brick dwelling with pitched and tile roof and tandem car parking with the alignment of the driveway which runs down the southern boundary of the property. An open metal palisade style fence delineates the front boundary of the property.



Source: Google Maps

Figure 1 – Aerial location/ context photograph



Figure 2 – Subject property as viewed from Iluka Road

2.2 The Locality

The subject site is located in the Palm Beach Locality. The locality is characterised by low density residential development with dwellings built along the ridges, slopes and lowlands.

The locality is characterised mainly by two storey detached dwellings on 750 – 1400 square metre allotments, with allotments of 550-650 square metres adjoining the waterfront to the west. The residential areas are of a diverse style and architecture, a common thread being landscaped, treed frontages and subdued external finishes. Medium density housing concentrates around Palm Beach neighbourhood retail centre on Barrenjoey Road.

The properties located along Barrenjoey Road do not exhibit a consistency in scale, materials or detailing, and each varies in terms of height and design. Some older holiday cottages exist, however the trend has been for these to be demolished and replaced with larger permanent or seasonally occupied dwellings.

Adjoining development is characterised by 1 and 2 storey dwelling houses in informal landscape settings with either integrated parking or garage/ carport accommodation immediately adjacent the front boundary of the properties.

3.0 PROPOSED DEVELOPMENT

The application proposes alterations and additions to the existing dwelling house including the construction of a new detached double garage at the front of the property, alterations to the front facade of the dwelling and the construction of a new entrance patio. A portion of the existing driveway is demolished and turfed to ensure no net reduction in landscaped area.

The scope of works is depicted on plans DA1 to DA15 prepared by Northern Beaches Designs.

The application is accompanied by a schedule of finishes which demonstrates that the development will blend into the vegetated escarpment which forms a backdrop to the site. The proposed works do not require the removal of any trees with all stormwater connected into the existing drainage system which gravity drains to Iluka Road.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 Pittwater Local Environmental Plan 2014

4.1.1 Zone and zone objectives

The subject property is zoned R2 Low Density Residential pursuant to the provisions of Pittwater Local Environmental Plan 2014 (PLEP 2014). The stated objectives of the zone are as follows:

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

Dwelling houses are permissible in the zone with the consent of the consent authority. We have formed the considered opinion that the proposed development is consistent with the zone objectives as it retains a low density residential use on the site.

Accordingly, there is no statutory impediment to the granting of consent.

4.1.2 Height of buildings

Pursuant to clause 4.3 PLEP 2014 the height of a building on any land is not to exceed 8.5 metres. The stated objectives of such control 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.*

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

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

We confirm that the proposed works sit well below the 8.5 metre height standard and accordingly are also deemed to satisfy the objectives of such standard.

4.1.3 Acid Sulfate Soils

Pursuant to clause 7.1 of the PLEP the subject site is identified as being class 3 on the acid sulfate soils map.

A no works more than 1 metre below the natural ground surface or which are likely to be lowered more than 1 metre below the natural ground surface no further investigation is required.

4.1.4 Flood Planning

Pursuant to clause 7.3 of PLEP 2014 the property is identified as being affected by mainstream flooding. Accordingly, the application is accompanied by a Flood Risk Management report, dated July 2019, prepared by NiTmA Consulting. This report addresses the potential flood risk and finds the proposed development to be acceptable having regard to the applicable controls.

4.2 Pittwater 21 Development Control Plan

The proposed development has been assessed against the relevant provisions of Pittwater 21 DCP as outlined in the following sections of this report.

4.2.1 Palm Beach Locality

The property is located in the Palm Beach Locality. The desired future character of the locality is identified as being:

“The Palm Beach Locality will remain primarily a low-density residential area characterised by two storey residences in a natural landscaped setting, interspersed by compatible land uses where appropriate. The locality will continue to be serviced by existing retail, community and recreational facilities. Future development will be consistent with public infrastructure capacity and environmental constraints.

Future development will maintain a distinct height limit below the tree canopy, and reflect the predominant scale and setbacks of existing development. Buildings will be designed to address the street and/or waterway, integrate with the public domain, and be at a “human scale”. Contemporary buildings will utilise façade modulation and/or incorporate shade elements, such as pergolas, verandas and the like. Building colours and materials will harmonise with the natural environment and not dominate it. Development on hillsides and in the vicinity of ridge tops will integrate with the natural landscape and topography. Heritage items and conservation areas indicative of early settlement in the locality will be conserved.

The indigenous tree canopy will be retained and enhanced to assist development blending into the natural environment, to provide Koala feed trees and undergrowth for smaller animals, and to enhance wildlife corridors.

The natural landscape, including rock outcrops, remnant bushland and natural watercourses, will be preserved. Existing and new development will be made safe from natural hazards.

Having regard to the desired future character as outlined we have formed the opinion that the built form and streetscape characteristics of the proposed works are sympathetic with that of development generally within the sites visual catchment and to that extent will not be perceived as being inappropriate in a streetscape or suburban context. The proposed works maintain a height below the 8.5 metre height control, will sit within a landscape setting and incorporates a palette of materials and finishes complimentary and compatible with that surrounding development. The development will be safe from flooding hazard as detailed in the accompanying Flood Risk Management report, dated July 2019, prepared by NiTmA Consulting.

Council can be satisfied that the proposal will reinforce the desired future character of the Palm Beach Locality.

4.2.2 General Controls

Hazards

The subject property is identified as being potentially affected by flooding hazard which has been dealt with previously in this report.

Stormwater Management

All collected stormwater will be directed into the existing stormwater drainage system which gravity drains to Iluka Road.

Off-street Vehicular Parking Requirements

Pursuant to Clause B6.3 a minimum number of two (2) parking spaces are to be provided for a dwelling house.

There is currently 2 tandem parking space within the existing driveway alignment. The proposal seeks to formalise the parking arrangement through the construction of a double garage accessed via the existing driveway crossing from Iluka Road.

The proposal therefore provides safe, convenient and numerically compliant off-street vehicle parking requirement with the new widened access driveway compliant with Council's gradient provisions.

Site Works Management

In accordance with Part B8 appropriate measures are to be undertaken to address the issues of construction and demolition impacts, erosion and sedimentation management, waste minimisation, site fencing and security, works in the public domain and traffic management where required.

Normal site management practices will be adopted to prevent public access during demolition and construction and to prevent erosion and sedimentation. It is anticipated that all construction materials will be stored on site throughout the construction processes.

4.2.3 Development Type Controls

Landscaping

Pursuant to clause C1.1 all canopy trees and a majority of other vegetation shall be locally native species. A range of low lying shrubs and canopy trees shall be provided to soften the built form.

Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.

The proposal does not require the removal of any trees or significant vegetation. A portion of the existing driveway is demolished and turfed to ensure no net reduction in landscaped area.

View Sharing

Pursuant to clause C1.3 building lines and height are to be sympathetic to the topography of the site and to maintain a reasonable sharing of views available from surrounding and nearby properties and those available to the public from nearby public domain areas.

Given the juxtaposition of adjoining development and available view lines we have formed the considered opinion that there will be no public or private view affectation as a consequence of the works proposed.

Solar Access

In accordance with Clause C1.4 the main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.

Windows to the principal living areas of the proposal and windows to the principal living area of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st to at least 50% of the glazed area.

The accompanying shadow diagrams clearly demonstrate that compliant levels of solar access will be maintained to the principal living room windows and adjacent private open space areas of the dwelling houses located to the south of the property between 9am and 3pm on 21st of June in strict accordance with the control.

Visual Privacy/ Acoustic Privacy

Pursuant to clause C1.5 private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by building layout, landscaping, screening devices or greater spatial separation.

The proposed garage and entrance patio will not compromise the level of visual or acoustic privacy currently achieved between properties.

Private Open Space

Pursuant to Clause C1.7, a minimum area of 80 square metres is to be provided at ground level with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard. Within the private open space area, a minimum principle area of 16sq metres with a minimum dimension of 4m and a grade no steeper than 1 in 20. Private open space areas should have good solar orientation and where orientation is difficult the area should have access to some direct sunlight throughout the year.

The existing compliant areas of private open space are not compromised as a consequence of the works proposed. It is considered that there are more than adequate private open space areas provided on site to cater for a range of amenity needs including full and partial privacy. The areas are of adequate size and dimension and receive good levels of solar access at various times throughout the day.

Waste and Recycling Facilities

Clause C1.12 states that all waste and recycling receptacles are to be stored within the property boundaries. These are to be provided at or behind the front, side and rear setback requirements.

Waste receptacles will be stored behind the proposed garage and accordingly will not be readily discernible when viewed from the street. The location will not give rise to any adverse streetscape or residential amenity impacts.

4.2.4 Locality Specific Development Controls

Character as Viewed from Public Place

We confirm that garage and entrance patio will not be discernible when viewed from Pittwater Waterway and due to their single storey nature and compliant front setbacks will not be perceived as inappropriate or jarring as viewed from Iluka Road.

The proposed development complies with these provisions.

Building Colours, Materials and Construction

The application is accompanied by a schedule of finishes which demonstrates that the development will blend into the vegetated escarpment which forms a backdrop to the site.

Front Building Line

In accordance with clause D12.5 the minimum front building line setback along this section of Iluka Road is 6.5 metres.

We confirm that the proposed garage complies with the 6.5 metre front setback control with the balance of the proposed works sitting well behind the required setback alignment.

Side Building Line

Pursuant to clause D12.6, the minimum side building line shall be 2.5m to at least one side and 1.0 metres for the other side.

The proposed garage structure maintains a 1 metre setback to the southern boundary and a 7.3 metre setback to the northern boundary in strict accordance with the control. All other works maintain side boundary setbacks well in excess of the setback control.

Building Envelope

Pursuant to clause D12.8, buildings are to be sited within a building envelope projected at 45 degrees from a height of 3.5 metres above natural ground level at the side boundaries to a maximum height of 8.5 metres.

The stated outcomes of the control are to minimise the bulk and scale of the built form, maintain an equitable sharing of views, to afford reasonable levels of privacy, amenity and solar access and to retain and enhance vegetation to reduce the visual impact of the built form.

It has been determined that all proposed works sit comfortably within the prescribed building envelope in strict accordance with the control.

Landscaped Area

Section D12.10 states that development shall have a total landscaped area of 60% of the site area. The use of porous materials and finishes is encouraged where appropriate. The stated outcomes of this control are to minimise the bulk and scale of the development, maintain reasonable levels of amenity to adjoining properties, to retain and enhance vegetation to reduce the visual impact of the built form, conserve natural biodiversity and landform and reduce stormwater runoff.

The proposal provides for a landscaped area of 380.35 square metres (39.57%) being slightly greater than the existing 380.63 square metre (39.50%) landscaped area circumstance. A portion of the existing driveway is demolished and turfed to ensure no net reduction in landscaped area being an acceptable outcome given the long established landscaped area circumstance.

Such variation succeeds pursuant to section 4.15(3A)(b) of the Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

4.3 Matters for Consideration Pursuant to Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15(1) of the Environmental Planning and Assessment Act 1979(as amended):

4.3.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.

The proposed works are permissible, being ordinarily ancillary to the existing dwelling house, and generally consistent with the desired outcomes contained within PLEP 2014 and P21DCP.

4.3.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality.

Context and Setting

- i) *What is the relationship to the region and local context on terms of:*
- *the scenic qualities and features of the landscape?*
 - *the character and amenity of the locality and streetscape?*
 - *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
 - *the previous and existing land uses and activities in the locality?*

The proposed development will achieve the objectives and intent of the Council's planning regime set out in the LEP and the applicable DCP. The proposal will maintain the visual amenity of the area through the design principles adopted and will not result in any unreasonable amenity impacts on the adjoining properties or adverse streetscape consequences. The development has been found to be consistent with the desired future character statement for the Palm Beach Locality.

- ii) *What are the potential impacts on adjacent properties in terms of:*

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed development will have no significant impacts on the adjacent properties. The development maintains good levels of aural and visual privacy, will not impact on views and maintains compliant levels of solar access.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

The proposed development provides appropriately for off-street carparking.

Public domain

The proposed development will relate positively to the public domain.

Utilities

Existing utility services will adequately service the development.

Flora and fauna

The proposal will have no adverse impact on existing flora and fauna.

Waste

Normal domestic waste collection applies to this development.

Natural hazards

The site is not affected by any known hazards other than those identified and addressed in this report.

Economic impact in the locality

The proposed development will not have any significant impact on economic factors in the area.

Site design and internal design

i) *Is the development design sensitive to environmental conditions and site attributes including:*

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The impact of the proposal with respect to design and site planing is positive. The scheme is in accordance with the thrust of the planning regime and results in a high standard of design. These matters have been discussed in detail in the body of this report.

ii) *How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will be able comply with the provisions of the Building Code of Australia without difficulty.

Construction

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

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

4.3.3 The suitability of the site for the development.

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any insurmountable development constraints. The site is well located with regards to utility services and public transport. There will be no excessive levels of transport demand created.

Are the site attributes conducive to development?

The site has no prohibitive physical or engineering constraints and is suitable for the proposed development.

4.3.4 Any submissions received in accordance with this Act or the regulations.

It is envisaged that any submissions made in relation to the proposed development will be appropriately considered by Council.

4.3.5 The public interest.

The proposed works are permissible, being ordinarily ancillary to the existing dwelling house, and generally consistent with the desired outcomes contained within Pittwater 21 Development Control Plan and the built form characteristics established by existing development located within the site's visual catchment. Approval would be in the public interest.

5.0 CONCLUSION

The proposed works are permissible, being ordinarily ancillary to the existing dwelling house, and consistent with the desired outcomes contained within PLEP 2014 and P21DCP and the historical built form characteristics established along this section of Iluka Road. The proposed single storey garage will not give rise to any adverse streetscape impacts with the streetscape appearance of the dwelling significantly enhanced as a consequence of the front façade design changes proposed.

The maintenance of the long established non-compliant landscaped area outcome has been acknowledged and appropriately justified. Such variation succeeds pursuant to section 4.15(3A)(b) of the Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

Having given due consideration to the relevant considerations pursuant to S.4.15(1) of the Act it has been demonstrated that the proposed development is appropriate for approval.



Greg Boston
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