



STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations and additions
including new study**

**337 Whale Beach Road,
Palm Beach**

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RESPONSIBLE FOR THIS REPORT:

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1 Introduction

1.1 Description of the proposed development

This report is a Statement of Environmental Effects (SEE), pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979.

The development application seeks consent for alterations and additions including a new study above the existing lounge room to the property at 337 Whale Beach Road, Palm Beach.

The proposal is characterised by generous boundary setbacks, a modest height increase (approx. 1.5m when viewed from the street), combined with a small 23m² GFA / footprint. The proposal presents a modest additional building form, resulting in a compatible presentation to the streetscape and the adjoining land, without inappropriate amenity impacts on neighbouring properties.

The proposal is depicted in the accompanying architectural plans by Casey Brown Architecture.

1.2 Statement of Environmental Effects

This Statement of Environmental Effects (SEE) is prepared in response to Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal has been considered under the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

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

- Environmental Planning and Assessment Act, 1979
- Local Environmental Plan
- Relevant State Environmental Planning Policies
- Development Control Plan

The proposal is permissible and generally in conformity with the relevant provisions of the above planning considerations.

Overall, it is assessed that the proposed development is satisfactory and the development application may be approved by Council.

2 Site Analysis

2.1 Site and location description

The site is located at 337 Whale Beach Road, Palm Beach and legally described as Lot 248 in Deposited Plan 16362. The site has an area of approx. 560m².

The site is irregular in shape with a south-western frontage of 12.18m (to Whale Beach Road), north-eastern rear boundary of 18.92m, north-western side boundary of 36.53m and south-eastern (side) boundary of 36.43m.

Development Consent N0257/06 approved demolition of the existing dwelling and construction of a new dwelling on 3 September 2007. The new dwelling house, which is 1 to 2 storeys in height, was subsequently constructed under CC 0128/08 and exists on the site in this form.

The site is located on the eastern side of Whale Beach Road. The dwelling house contains a central courtyard which connects the kitchen to the living room which is located adjacent to the site's front setback. The first-floor study that is the subject of this DA is proposed above the living room.

The topography slopes away from Whale Beach Road such that the dwelling house is set-down below the street level. The dwelling house is single storey in height at the front of the site and terraces with the sloping topography at the rear of the site.

The existing lounge/living room is adjacent to the property's front setback. Its existing eastern facade is approximately 3.6 metres high and the proposed first floor level involves an additional 1.5 metres of wall height to this elevation.

As displayed in the site photographs and site analysis plan, there is established landscape planting at the front of the property which visually screens most of the existing structure.

The figures within this report depict key characteristics of the property and its existing development relevant to the subject application.

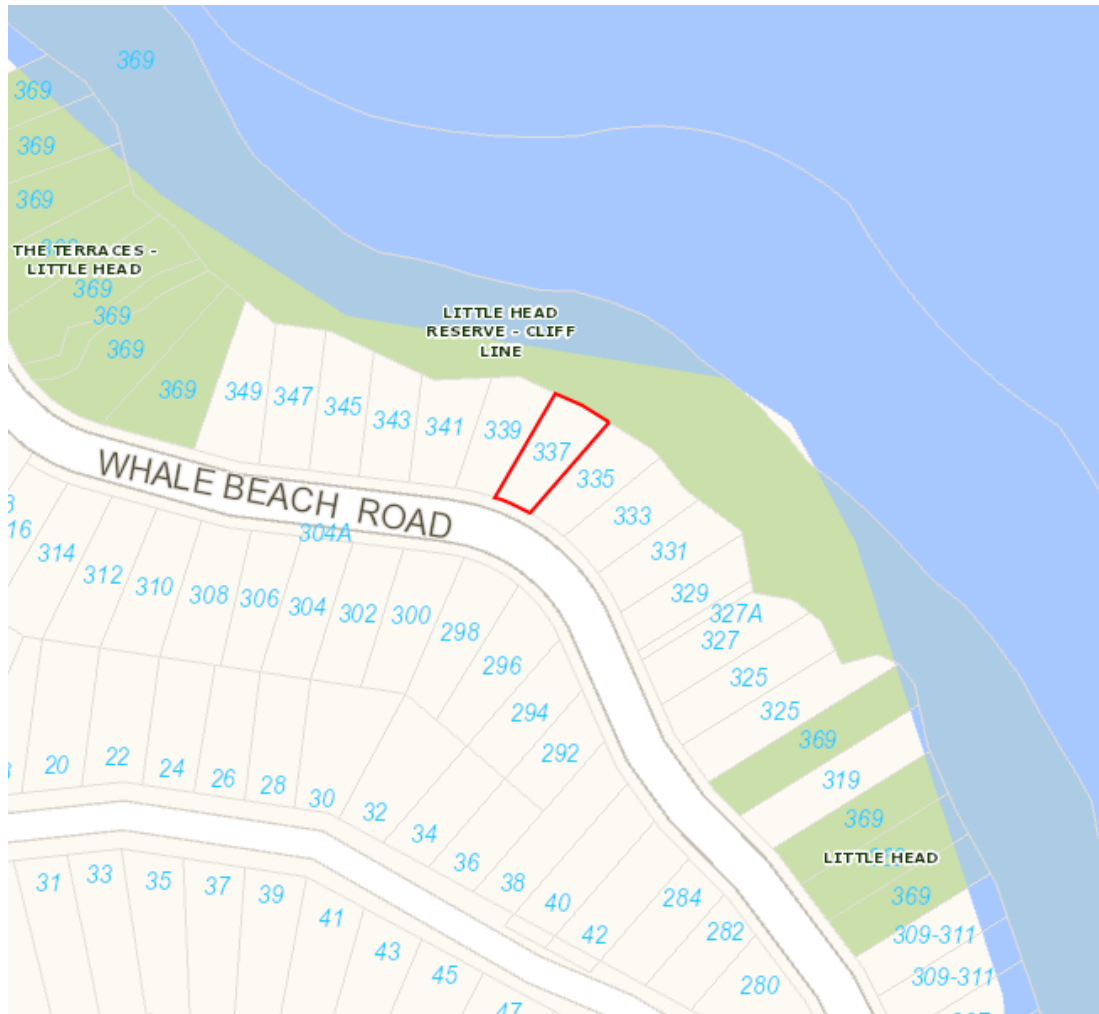


Figure 1 – Location of the site within its wider context (courtesy Northern Beaches Mapping)



Figure 2 – Alignment, orientation and spatial layout of the subject site and adjoining properties (courtesy Northern Beaches Council)

3 Environmental Assessment

3.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979

The following section of the report assesses the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended.

Under the provisions of the Environmental Planning and Assessment Act 1979 (the Act), the key applicable planning considerations, relevant to the assessment of the application are:

- Pittwater Local Environmental Plan 2014
- State Environmental Planning Policies – as relevant
- Pittwater Development Control Plan

The application of the above plans and policies is discussed in the following section of this report.

The application has been assessed against the relevant heads of consideration under Section 4.15 of the Act; a summary of these matters are addressed within Section 7 of this report, and the town planning justifications are discussed below.

4 Section 4.15 (1)(i) the provisions of any environmental planning instrument

4.1 Pittwater Local Environmental Plan 2014 – Zoning

The property is zoned C4 Environmental Living under the Pittwater Local Environmental Plan 2014 (LEP) as is most of the surrounding land.



Figure 3 – zone excerpt (State Planning Portal)

The proposal constitutes alterations and additions to the existing property. The proposal is permitted within this zone with Development Consent.

Clause 2.3(2) of the LEP requires the consent authority to 'have regard to the objectives for development in a zone' in relation to the proposal. The objectives of the zone are stated as follows:

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.

It is assessed that the proposed development is consistent with the zone objectives as is located appropriately upon the site and it retains a low impact residential use. Based on the information accompanying this DA, the proposed development does not give rise to any unacceptable ecological, scientific, or aesthetic impacts. Accordingly, the proposal has had sufficient regard to the zone objectives and there is no statutory impediment to the granting of consent.

4.2 Other relevant provisions of the LEP

Other provisions of the LEP that are relevant to the assessment of the proposal are noted and responded to as follows:

\	Response	Complies
Part 4 of LEP – Principal Development Standards		
LEP Clause 4.1 Minimum subdivision lot size - 700m ²	NA	NA
LEP Clause 4.3 – Height of Buildings	Complies as shown on the architectural plans.	Yes
LEP Clause 4.4 – Floor space ratio	NA	NA
LEP Clause 4.6 – Exceptions to development standards	NA	NA
Part 5 of LEP – Miscellaneous Provisions		
LEP Clause 5.4 Controls relating to miscellaneous permissible uses	NA	NA
LEP Clause 5.10 Heritage Conservation	NA	NA
LEP Clause 5.21 Flood planning	Council's maps do not identify the site as being flood affected.	Yes
Part 6 of LEP – Additional Local Provisions		
LEP Clause 7.1 Acid sulfate soils	The land is identified on the LEP Maps as being affected by Class 5 acid sulfate soils. No excavation is proposed therefore the proposed development satisfies the considerations within clause 7.1 and the site is suitable for the development proposed.	Yes
LEP Clause 7.2 Earthworks	No excavation is proposed therefore the proposed development satisfies the considerations within clause 7.2 and the site is suitable for the development proposed.	Yes
LEP Clause 7.5 Coastal risk planning (3) Development consent must not be granted to development on land to which this clause applies unless the consent	The property is located within a coastal risk area however the proposed works are remote from this area.	NA

\	Response	Complies
<i>authority is satisfied that the development—</i> <i>(a) is not likely to cause detrimental increases in coastal risks to other development or properties, and</i> <i>(b) is not likely to alter coastal processes and the impacts of coastal hazards to the detriment of the environment, and</i> <i>(c) incorporates appropriate measures to manage risk to life from coastal risks, and</i> <i>(d) is likely to avoid or minimise adverse effects from the impact of coastal processes and the exposure to coastal hazards, particularly if the development is located seaward of the immediate hazard line, and</i> <i>(e) provides for the relocation, modification or removal of the development to adapt to the impact of coastal processes and coastal hazards, and</i> <i>(f) has regard to the impacts of sea level rise, and</i> <i>(g) will have an acceptable level of risk to both property and life, in relation to all identifiable coastline hazards.</i>	No excavation is proposed. The proposal involves a small first floor addition within the western section of the site that adjoins the property's street frontage. The location of the proposal is remote from the site's eastern coastal interface. The proposal is accompanied by a structural engineering assessment which confirms that no changes to the existing footings are needed and that the existing structure can accommodate the proposed first floor addition (excerpt of engineering certificate copied below the table). It is assessed that the proposed development: ▪ will not detrimentally increase coastal risks; ▪ will not alter coastal processes and the impacts of coastal hazards; ▪ incorporates appropriate measures to manage risk to life from coastal risks; ▪ will avoid or minimise adverse effects from the impact of coastal processes and the exposure to coastal hazards; ▪ provides for the appropriate modification of the existing development; ▪ will not adversely impact upon sea level rise; ▪ will have an acceptable level of risk to both property and life, in relation to all identifiable coastline hazards. The proposed development satisfies the considerations within clause 7.5 and the site is suitable for the development proposed.	
LEP Clause 7.6 Biodiversity	Pursuant to Clause 7.6, the site is identified on the biodiversity map. The proposed works are located at the first floor level on a section of the site that is developed for the dwelling house that is been long established upon the property. No prescribed trees are proposed to be removed because of the proposed development. Based on the above, it is assessed that it is unlikely that the proposal would have an adverse impact on any threatened ecological community. The provisions of clause 7.6 are assessed as being satisfied by the proposal.	Yes

\	Response	Complies
LEP Clause 7.7 - Geotechnical hazards	The site is identified as being subject to geotechnical hazard H1 upon council's maps. No excavation or earthworks are proposed. The proposal involves a small first floor addition within the western section of the site that adjoins the property's street frontage. The proposal is accompanied and supported by a structural engineering certificate which confirms that the existing building can accommodate the proposed addition (excerpt of engineering certificate copied below the table). The siting and design of the proposed development has considered the matters within clause 7.4(3) of the LEP and results in appropriate outcomes against these criteria. Based on the above the proposed development satisfies the considerations within clause 7.1 and the site is suitable for the development proposed.	Yes
LEP Clause 7.10 - Infrastructure	The dwelling is established on the property and is serviced by the appropriate infrastructure.	Yes

STUDY ADDITION
337 Whale Beach Rd
Palm Beach

STATEMENT OF STRUCTURAL FEASIBILITY/ADEQUACY

Murtagh Bond are the Structural Engineers of Record for the original Structure.
We refer to the Proposal for this addition by Casey Brown Architects.
The proposed Structural response is for a light weight predominantly timber framing.
A review of existing stone and concrete base structure indicates excess capacity to support this addition without modification and will be certified as such at completion of the work.


Ken Murtagh FIE Aust
Director
Bond James Murtagh P/L

13/4/22



Excerpt from the structural engineering assessment.

4.3 State Environmental Planning Policy

State Environmental Planning Policies relevant to the site include:

State Environmental Planning Policy - BASIX

State Environmental Planning Policy (Biodiversity and Conservation) 2021

- Chapter 2 - Vegetation in Non-Rural Areas

State Environmental Planning Policy (Resilience and Hazards) 2021

- Chapter 2 - Coastal Management
- Chapter 4 - Remediation of Land

4.3.1 State Environmental Planning Policy - BASIX

The proposed alterations and additions is BASIX affected development as prescribed. A BASIX assessment report accompanies the application and satisfies the SEPP in terms of the DA assessment.

4.3.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The following aspects of The State Environmental Planning Policy (Biodiversity and Conservation) 2021 are applicable to the land and the proposed development:

- Chapter 2 - Vegetation in Non-Rural Areas

This matter is addressed below.

Chapter 2 - Vegetation in Non-Rural Areas

Vegetation is prescribed under Pittwater DCP for the purposes of the SEPP. The proposal does not involve the removal of any designated trees and therefore the provisions of this policy are satisfied by the proposal.

4.3.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The following aspects of State Environmental Planning Policy (Resilience and Hazards) 2021 - are applicable to the land and the proposed development:

- Chapter 2 - Coastal Management
- Chapter 4 - Remediation of Land

These matters are addressed below.

Chapter 2 - Coastal Management

The Coastal Management Act 2016 establishes a strategic planning framework and objectives for land use planning in relation to designated coastal areas within NSW. The Act

is supported by Chapter 2 Coastal Management. It is applicable because the site is within the designated:

- coastal environment area
- coastal use area

As relevant to these affectations, the aims of the SEPP within clauses 13 and 14 addressed below. In summary, the proposal is assessed as being consistent with the aims and objectives of the SEPP.

Development on land within the coastal environment area

The provisions of clause 13 *Development on land within the coastal environment area* are addressed as follows:

13 Development on land within the coastal environment area	Response
<i>(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:</i>	
<i>(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i>	▪ The land and its development for residential purposes is established on the site. The extent of proposed works is supported by the appropriate range of technical studies. The proposal is assessed as satisfactory in relation to this consideration.
<i>(b) coastal environmental values and natural coastal processes,</i>	▪ The land and its development for residential purposes is established on the site. The extent of proposed works is supported by the appropriate range of technical studies. The proposal is assessed as satisfactory in relation to this consideration.
<i>(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i>	▪ Provision of appropriate stormwater management has been made for the site. ▪ The proposal does not relate to <i>sensitive coastal lakes identified in Schedule 1</i> ▪ The proposal is assessed as satisfactory in relation to this consideration.
<i>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i>	▪ The subject site is established for residential purposes. The proposal is assessed as satisfactory in relation to this consideration.
<i>(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	▪ The proposal will not adversely impact upon existing access provisions. The proposal is assessed as satisfactory in relation to this consideration.
<i>(f) Aboriginal cultural heritage, practices and places,</i>	▪ The proposal is not known to be located in a place of Aboriginal cultural heritage significance. The proposal is assessed as satisfactory in relation to this consideration.

13 Development on land within the coastal environment area	Response
(g) the use of the surf zone	Not relevant to the assessment of the proposal.
(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:	
(a) to the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or	- Responses have been made above in relation to the considerations within subclause (1). - The proposal is assessed as satisfactory in relation to these considerations.
(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or	The proposal is assessed as satisfactory in relation to this consideration.
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	- Aside from compliance with relevant codes, standard conditions of consent, and Australian Standards there are no other mitigation measures foreseen to be needed to address coastal impacts. - The proposal is assessed as satisfactory in relation to this consideration.
(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.	Noted; not applicable.

Development on land within the coastal use area

The provisions of clause 14 *Development on land within the coastal environment area* are addressed as follows:

14 Development on land within the coastal use area	Response
(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:	
(a) has considered whether the proposed development is likely to cause an adverse impact on the following:	
(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	The proposal will not adversely impact upon existing access provisions.
(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,	The proposal will not result in any significant or excessive overshadowing of the coastal foreshore. Nor will result in significant loss

14 Development on land within the coastal use area	Response
	of views from a public place to the coastal foreshore.
(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,	▪ The proposal is commensurate with the nature and scale of development on adjoining properties. It will not result in any significant additional visual impact on the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(iv) Aboriginal cultural heritage, practices and places, cultural and built environment heritage, and is satisfied that:	
(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or	▪ The proposal is not known to be located in a place of Aboriginal cultural heritage significance ▪ The proposal is assessed as satisfactory in relation to this consideration.
(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or	▪ See above response.
(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and	▪ See above response.
(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.	▪ The subject site is established for residential purposes. Relatively modest alterations and additions are the subject of this DA. ▪ The proposal will not result in any significant additional visual impact on the coastal foreshore. Nor will result in significant loss of views from a public place to the coastal foreshore. ▪ The proposal is assessed as satisfactory in relation to this consideration.
(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.	▪ Noted; not applicable.

Chapter 4 – Remediation of Land

Chapter 4 – Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land. Council is required to consider

whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is low given the following:

- Council's records indicate that site has only been used for residential uses.
- The subject site and surrounding land are not currently zoned to allow for any uses or activities listed in Table 1 of the contaminated land planning guidelines of SEPP 55.
- The subject site does not constitute land declared to be an investigation area by a declaration of force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

Given the above factors no further investigation of land contamination is warranted. The site is suitable in its present state for the proposed residential development. Therefore, pursuant to the provisions of SEPP 55, Council can consent to the carrying out of development on the land.

5 Development Control Plan

5.1 Overview

In response to Section 4.15 (1)(iii) of the Act, the Pittwater Development Control Plan (DCP) is applicable to the property. Relevant provisions of the DCP are addressed below.

5.2 Palm Beach Locality

The property is within the Palm Beach Locality. The local area is established and of mixed architectural character comprising residential dwelling houses ranging from approximately 1 to 3 storeys in height when viewed from the street.

There is no consistent character of development. There is a mix of architectural forms, and scales within the local context. There is a mix of building materials including brick, rendered masonry, pitched tiled roofs, and flat metal roofs.

Developments on the western side of Whale Beach Road are terraced over 2-4 levels and are more visually prominent due to their location, higher on the topography when seen from 'down-slope' areas to the east. By comparison, the subject site sits lower on the topography, cut-in (excavated), below the road level, and has a largely obscured streetscape presence (the existing sandstone form is visible in part).

The existing and proposed developments have a limited visual catchment, due to the position of the development below the street level and the landscaped character of the location.

The proposal presents a modest additional building form. The proposal is characterised by generous boundary setbacks, a modest height increase (approx. 1.5m when viewed from the street), combined with small 23m² footprint.

The proposed development adopts the architectural form and materials of the existing dwelling house. It proposes an addition that will provide compatible setbacks, scale, built form and landscape setting. The proposed addition will provide an appropriate presentation to adjoining land.

The design promotes the desired character of the area through a compliant building envelope that matches the materials and form of the existing development.

The proposal is compatible with the nature and scale of development on adjoining properties. It will not result in any significant additional visual impact on the coastal foreshore, nor will it result in inappropriate amenity impacts on neighbouring properties.

5.3 Principal Built Form Controls

A table demonstrating compliance with the relevant provisions of the DCP is detailed as follows.

Control	Requirement	Proposed	Complies
Part D: Locality Specific Development Controls			
Front setback	6.5m or established building line, whichever is the greater	6.5m, maintaining the existing setback.	Yes
Side and rear setbacks	Side setbacks: 2.5m one side 1m to other side Measured at 90 degrees from the boundaries	- North-west – 2m - South-east – 4.5m to 5.25m	Yes
	Rear setback: 6.5 m	No change.	NA
Building Envelope	3.5m at 45 degrees plane to maximum building height boundary	Complies.	Yes
Landscaped Area – 60%		No change.	NA
Part C: Development Type Controls			
Private Open Space (PoS) (C1.7 DCP)	80 m ² at ground floor 16 m ² (out of the 80m ²) must be provided off a principal living area of the dwelling. 4m x 4m min dimension and grade no steeper than 1 in 20 (5%)	No change.	NA
Solar Access (C1.4 DCP)	Min 3 hours to each proposed dwelling within the site. Min 3 hours to neighbouring dwellings PoS areas. 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 the adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm	The proposal is accompanied by shadow diagrams demonstrating the extent of proposed shading. They show that some additional shade from the proposal will be cast over the front of the adjacent property at 335 Whale Beach Road at 3pm. The shade will not be cast on the principal private open space on the property but on a landscaped area at the front of the property and for a compliant period of time. Compliant solar access is maintained to the subject dwelling house. It is concluded that the proposal will not significantly or unreasonably	Yes

Control	Requirement	Proposed	Complies
	on June 21st to at least 50% of the glazed area.	reduce the available sunlight to the adjoining land and the provisions of the control are satisfied.	
Views (C1.3 DCP)	New development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	Properties located on the western side of Whale Beach Road are significantly elevated due to the sloping topography and terraced character of the dwelling houses. It is anticipated that these properties will maintain sightlines over the proposed first floor addition noting its small footprint and modest height increase. Building profiles have been erected on-site and certified by a registered surveyor to assist neighbours and Council assess the impact of the proposed structure. It is noted that access has not been gained (by the author of this report) to nearby properties in assessing this aspect; this may be undertaken when the DA is publicly exhibited to neighbouring properties. At this stage, noting the above characteristics, it is assessed that the proposal is unlikely to result in an inappropriate view sharing outcome.	Yes
Privacy	DCP objectives.	Privacy has been considered in the proposed design. The following key aspects are noted: - As previously addressed, appropriate side building setbacks are exhibited by the proposal. - The proposed study will be adjacent to the front (rather than) rear (eastern) yards/open space areas of the adjacent properties. The eastern areas contain the principal private open spaces where coastal views are enjoyed. - The proposed study contains an east facing window to provide light and ventilation, but also to capture significant coastal views. - There is significant separation (more than 11m) between the	Yes

Control	Requirement	Proposed	Complies
		proposed east facing windows and sensitive areas within the neighbouring property to the south. the separation is sufficient to achieve an appropriate privacy outcome that satisfies the DCP and the land environment courts planning principle established in Meriton v Sydney City Council [2004] NSWLEC 313-external site at 45-46. ▪ Landscaping planting is established within the front and side setbacks (hedges shown on the site analysis plan DA03) of the property. Whilst it is not relied upon to achieve privacy it nevertheless facilitates visual screening between the properties. ▪ Due to the elevated hillside location and the expansive coastal views available from the location, there is a pattern of elevated balconies and terraces within the properties in this location. This results in an extent of overlooking of the neighbouring properties that the proposal will be compatible with. ▪ It is concluded that the proposal will not unreasonably affect the visual privacy of the neighbouring properties and the control is satisfied.	
Part B: General Controls			
B5.10 Stormwater Discharge into Public Drainage System.	Connected by gravity means to street or established piped system.	Connected to the existing system.	Yes
Car Parking (B6.5 DCP)	2 spaces per 2 or more bedroom dwelling	No change.	NA
RESIDENTIAL DEVELOPMENT CONTROLS			

Control	Requirement	Proposed	Complies
Character as viewed from a public place	Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality.	The proposed development will not be visible from the site's street frontage. The proposal satisfies all of the building envelope controls under the LEP / DCP and presents a modest and compatible additional building form. The proposal is of a character and scale that will be compatible with other development within the site's context.	Yes
Scenic Protection – General	Achieve the desired future character of the Locality. Bushland landscape is the predominant feature of Pittwater with the built form being the secondary component of the visual catchment.	The proposed development will be within a hillside landscaped setting and will present appropriately to the street. The proposal is of a character and modest scale that will be compatible with other dwellings within the site's context.	Yes
Building Colours and Materials	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.	The existing property's streetscape presentation is mostly characterised by landscape planting and a modest single storey sandstone clad structure. The proposed materials and finishes follow the materials and character of the existing built form which comprises a combination of sandstone and timber wall cladding, aluminium screens to openings and metal roofing. This is appropriate in satisfying the control and in the circumstances of the property.	Yes

5.4 Plans and images



Figure 4 – existing streetscape character and location of existing ground floor stone clad structure



Figure 5 – existing stone clad structure and dwelling entry to the south

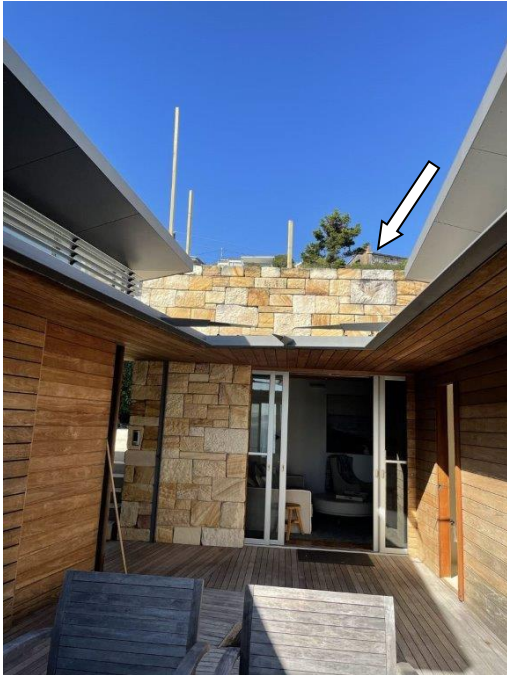


Figure 6 – view of existing stone clad structure and proposed building height as seen from central courtyard



Figure 7 – character of hillside development opposite the site on the high side of Whale Beach Rd



Figure 8 – character of hillside development opposite the site on the high side of Whale Beach Rd



Figure 9 – character of hillside development opposite the site on the high side of Whale Beach Rd

6 Section 4.15 the Environmental Planning and Assessment Act 1979 – Summary

The proposal has been assessed having regard to the matters for consideration pursuant to S.4.15 of the Act and to that extent Council can be satisfied of the following:

- There will be no significant or unreasonable adverse built environment impacts arising from the proposed physical works on the site.
- The site is appropriate for accommodating the proposed development. The proposal has sufficiently addressed environmental considerations. There will be no significant or unreasonable adverse environmental impacts arising from the proposal.
- The proposal will result in positive social and economic impacts, noting:
 - Employment during the construction phase of the works;
 - Economic benefits, arising from the investment in improvements to the land;
 - Social benefits arising from the improvements to the existing dwelling house and increased capacity to work from home.
- The proposal is permissible and consistent with the objectives of the zone, pursuant to the LEP. The proposal satisfies the provisions of the relevant provisions of the council's DCP.
- It is compatible with the current and likely future character of development within the local context.
- It will not result in any significant unacceptable offsite impacts that limit the use or enjoyment of nearby or adjoining land.
- The proposal will have an acceptable impact when considering key amenity issues such as visual impact, views, overshadowing, noise and privacy.
- Given the site's location and established function, the site is assessed as being entirely suitable for the proposed development.
- The public interest is best served through the approval of the application.

7 Conclusion

The application seeks development consent for alterations and additions to the property at 337 Whale Beach Road, Palm Beach.

Casey Brown Architects have responded to the client's brief with an exceptional design that is responsive to the mixed development building character, property context and the prevailing planning controls for the site.

The proposed alterations and additions are permissible and consistent with the built form controls. Furthermore, they will be complimentary to the existing built form and landscape character of the site and its context

This report demonstrates that the proposal is appropriately located and configured to complement the property's established built form character and will not give rise to unacceptable residential amenity or streetscape consequences.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 and should be granted development consent.

BBF Town Planners



Michael Haynes
Director