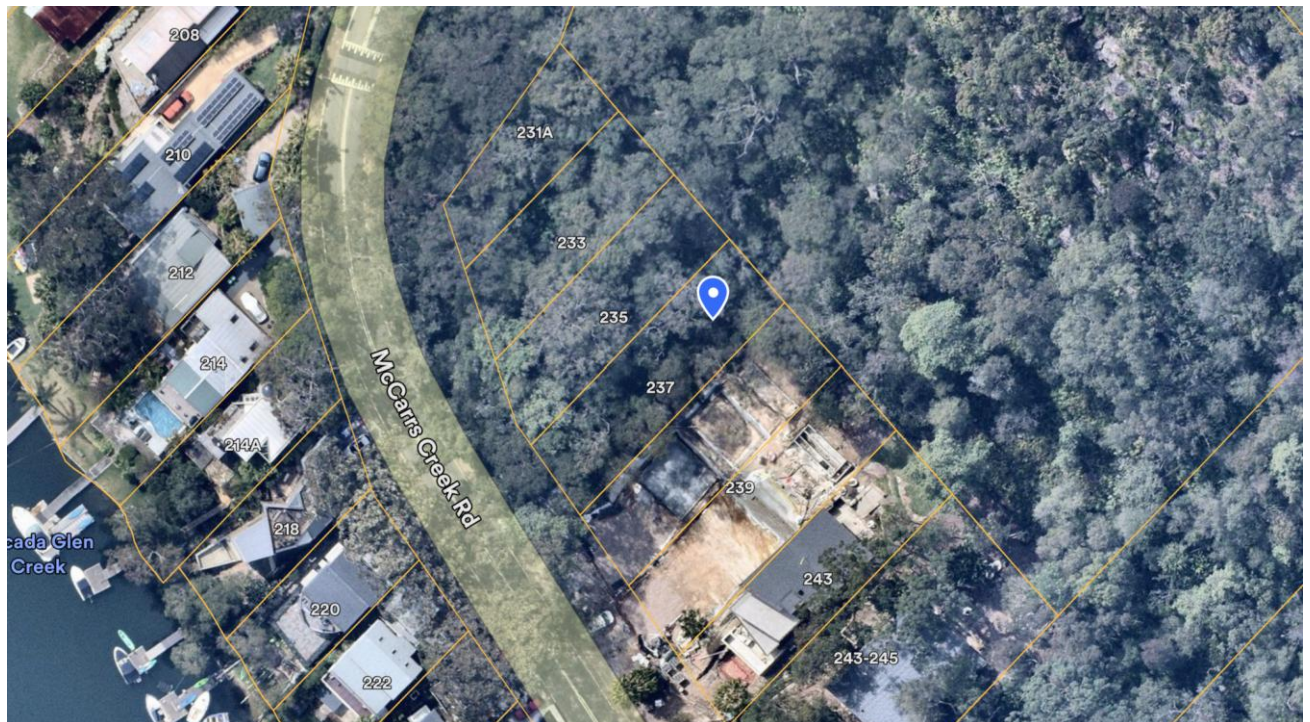




STATEMENT OF ENVIRONMENTAL EFFECTS



Construction of a Single Dwelling and associated tree removal.

Applicant:
Nima Asgari
306 Morrison Road
Putney NSW 2112

Site Address:
Lot 1159 DP 239878
237 Mccarrs Creek Road
Church point NSW 2105

INTRODUCTION

This Statement of Environmental Effects is submitted to The Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a single dwelling containing four (4) bedrooms, upper sitting, family, kitchen, gym and dining room, along with a lower story attached garage, balcony and outdoor alfresco dining area.

The site is generally rectangular in shape, with a frontage to Mccarrs Creek Road of 12.42m and a total land area of 514.5sqm . The lot is currently vacant and contains a significant amount of Large trees and tree ferns proposed for removal as part of this application (please refer to arborist report prepared By Stuart Sutton provided as part of this DA Application).The site has a significant fall to the Mccarrs Creek Road. Drainage is to be directed to an approved system as per the Hydraulic Engineers Details. The subject property currently neighbors vacant lots and faces a mix of waterfront detached single and two-story dwellings. The proposed dwelling will contribute positively to the surrounding area and the streetscape of Mccarrs Creek Road.

ENVIRONMENTAL EFFECTS

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

This Statement of Environmental Effects addresses the following relevant Environmental Planning Instruments:

- Pittwater Local Environmental Plan 2014
- Pittwater 21 Development Control Plan

4.15 EVALUATION

(1) Matters for Consideration – general:

(a)(i) Relevant environmental planning instruments

Applicable State Environmental Planning Policy's

<i>SEPP</i>	<i>Comment</i>	<i>Compliance</i>
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Tree Removal is part of this application.	Capable of Complying.
State Environmental Planning Policy (Housing) 2021	No secondary dwelling or affordable housing proposed.	Not Applicable to Subject Application
State Environmental Planning Policy (Sustainable Buildings) 2022	Please refer to accompanying BASIX Certificate.	Complies
State Environmental Planning Policy (Resilience and Hazards) 2021	Please see below	Complies
State Environmental Planning Policy (Transport and Infrastructure) 2021	Site not located within direct proximity of any infrastructure.	Not considered applicable.

Coastal State Environmental Planning Policy (Resilience & Hazards) 2021.

2.10 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

The proposal is consistent in type, bulk, and scale with the surrounding development and will not result in any adverse impacts on the biophysical, hydrological (surface and groundwater), or

ecological environment.

An on-site detention (OSD) system is proposed as part of the development, ensuring that stormwater runoff is directed to an OSD tank before being discharged into the existing drainage system on McCarrs Creek Road. This system will effectively mitigate runoff, minimizing any potential impact on downstream coastal environments.

(b) coastal environmental values and natural coastal processes,

The development will not adversely affect natural coastal processes.

(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

The development will not impact the water quality of the marine estate or any sensitive coastal lakes identified in Schedule 1

(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,

A Flora and Fauna Assessment Report is supplied with the proposal and concludes that the development will have no significant impact on native flora and fauna.

(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,

The proposed dwelling, being entirely built on private land, will not have an impact on public foreshore access or coastal processes.

(f) Aboriginal cultural heritage, practices and places,

There is no evidence of Aboriginal heritage sites located within the vicinity of the development.

(g) the use of the surf zone.

The location is not within a surf zone and therefore is not relevant to the assessment.

2.11 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—

(a) has considered whether the proposed development is likely to cause an adverse impact on the following—

(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed dwelling being entirely built on private land, will not have an impact on existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,

The proposal is consistent in type, bulk and scale to surrounding development and will not cause any overshadowing, wind funnelling or loss of views from public places to foreshores.

(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

The development will not impede the visual amenity and scenic qualities of the coast, including coastal headlands.

(iv) Aboriginal cultural heritage, practices and places,

There is no evidence of Aboriginal heritage sites located within the vicinity of the development .

(v) cultural and built environment heritage.

The proposal has no impact on the cultural significance of the waterway. The development will have a visual impact on the environmental heritage however impacts are mitigated by way of native replacement planting

2.12 Development in coastal zone generally—*development not to increase risk of coastal hazards*

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

The proposed development is located entirely within the property boundaries on private land. The location of the dwelling is generously setback from the waterway and therefore will not likely cause any increased risk of coastal hazards on that land or other land.

Pittwater Local Environmental Plan 2014

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

The subject site is zoned C4 Environmental Living pursuant to Clause 2.1 of Pittwater Local Environmental Plan 2014.

The proposed development is defined in the plan as a '*dwelling house*', being '*a building containing only one dwelling*'.

The identified zone permits the construction of a '*dwelling house*' subject to development consent from Council.

Clause 2.3 Zone objectives and land use table

The objectives of the C4 Zone are:

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

The proposed development is for a low-density residential dwelling, being compatible with the existing and future character of the locality. The dwelling is designed to provide a high level of amenity for its residents whilst considering the natural constraints of the site. The proposed dwelling is considered to meet the objectives of the C4 Zone.

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m	Approx. 8m	Yes

Clause 4.4 Floor space ratio

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
N/A	0.436:1	N/A

Clause 4.6 Exceptions to development standards

The development does not contravene any development standards with in the LEP.

Clause 5.10 Heritage Conservation

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

Clause 5.21 Flood planning

The subject site has not been identified as being flood prone land.

Clause 7.1 Acid Sulfate Soils

The subject property has been identified as being affected by Class 5 Acid Sulfate.

Soils.

Clause 7.2 Earthworks

Some ground disturbance is required to provide a level platform to site the building footprint.

Clause 7.6 Biodiversity

The proposed native vegetation clearing is below the clearing threshold that triggers the Biodiversity Offset Scheme (BOS) under the BC Act. Furthermore, no vegetation clearing is proposed in areas identified as high biodiversity on the NSW Biodiversity Values Map. The site is highlighted on the Pittwater LEP 2014 Terrestrial Biodiversity Map and the mitigation measures outlined in this report are considered satisfactory in addressing the required biodiversity points outlined in Section 7.6 of the Pittwater LEP 2014.

Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the relevant objectives and development standards relating to dwelling houses as contained within PLEP 2014.

(a)(ii) Relevant draft environmental planning instruments

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

(a)(iii) Relevant development control plans

Pittwater 21 Development Control Plan

Section B General Controls

<i>Performance Requirement</i>	<i>Provides</i>	<i>Compliance</i>
<u>B4.2 Flora and Fauna</u> <u>Conservation Category 1 and</u> <u>Wildlife Corridor</u> Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.	Tree removal is proposed to allow the construction of the dwelling. Tree protection measures will be put in place during the construction. As per the flora and fauna report provided, development will be no significant impact on native flora and fauna.	Yes
Development shall provide wildlife corridors via creation, restoration, and / or regeneration of habitat.	Please refer to the Flora and fauna report provided. Which provides measures on resorting and regenerating habitat on the premises.	Yes
Development shall result in no significant onsite loss of canopy	Tree removal is proposed to allow the construction of the	Yes

cover and no net loss in native canopy trees.	dwelling. Tree protection measures will be put in place during the construction. Replacement planting will achieve a reasonable balance between built form and landscaping, given site conditions.	
Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species listed in Native Plants for Your Garden available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and should not include environmental weeds. Development shall provide an adequate buffer to wildlife corridors.	The Flora and Fauna Assessment Report recommends that majority of replanting consists of native trees, shrubs and groundcovers.	Yes
Caretakers of domestic animals shall prevent them from entering wildlife habitat areas.	Noted.	Noted
Fencing, where permitted, shall be passable by native wildlife.	Boundary fences will be designed to not hinder the path of travel of wildlife.	Yes

Section C1 Design Criteria for Residential Development

<i>Performance Requirement</i>	<i>Provides</i>	<i>Compliance</i>
<u>C1.1 landscaping</u> All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will	More than 50% of trees retained/planted are native species.	Yes

<p>be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.</p>		
<p>At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.</p>	<p>Native trees planted within the front yard of the property:</p> <p>Please refer to Arborist report prepared By Stuart Sutton provided as part of this DA Application.</p> <p>Native trees to be retained within the rear yard of the property:</p> <p>Please refer to Arborist report prepared By Stuart Sutton provided as part of this DA Application</p>	<p>Yes</p>
<p>Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted.</p>	<p>Sufficient space is provided to plant selected native trees.</p>	<p>Yes</p>
<p>The following soil depths are required in order to be counted as landscaping:</p> <ul style="list-style-type: none"> • 300mm for lawn • 600mm for shrubs • 1metre for trees 	<p>Sufficient soil depths are provided to plant selected native trees.</p>	<p>Yes</p>
<p>The front of buildings (between the front boundary and any built structures) shall be landscaped to screen those buildings from the street as follows:</p> <ul style="list-style-type: none"> • A planter or landscaped area with minimum dimensions of 4m² for shop top housing developments, • 60% for a single dwelling 	<p>The selected native trees planted within the front yard will allow for 60% screening of the proposed building.</p>	<p>Yes</p>

<p>house, secondary dwelling, rural workers' dwellings, or dual occupancy, and</p> <ul style="list-style-type: none"> • 50% for all other forms of residential development. <p>Screening shall be of vegetation (not built items), and shall be calculated when viewed directly onto the site.</p> <p>In bushfire prone areas, species shall be appropriate to the bushfire hazard.</p> <p>Landscaping shall not unreasonably obstruct driver and pedestrian visibility.</p> <p>Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops.</p> <p>Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.</p>	<p>Noted</p> <p>Trees planted and retained are appropriate to the bushfire hazard.</p> <p>Selected trees do not cause any obstruction to pedestrians.</p> <p>All trees which do not interfere with the construction of the dwelling are to be retained.</p> <p>Trees are located a minimum of 5 metres from the proposed built dwelling.</p>	<p>Noted</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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<p><u>C1.4 Solar Access</u></p> <p>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.</p> <p>Windows to the principal living area of the proposal, and windows</p>	<p>Suitable solar access provided to the subject dwelling and adjoining property.</p>	<p>Yes</p>
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<p>to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows).</p> <p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid winter.</p> <p>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</p>	<p>No solar collectors proposed or provided on adjoining sites.</p> <p>Clothes drying will be undertaken toward the rear yard of the subject property. Suitable amount of sunshine provided to the rear yard of the subject property.</p>	<p>N/A</p> <p>Yes</p>
<p><u>C.15 Visual Privacy</u></p> <p>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).</p> <p>Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.</p> <p>Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly</p>	<p>No adjoining dwellings exist within the neighboring sites.</p> <p>Opaque balustrades are proposed along the perimeter of the front balconies of the dwelling. Privacy screens have also been proposed along the southern side of the ground and first floor balconies to avoid overlooking of neighboring properties.</p> <p>Upper floor room windows are provided towards the front and side of the dwelling and provided with raised sill heights overlooking adjoining areas. Other windows</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>

below.	to bedrooms considered to be of a mutual privacy concern and will be appropriately offset and setback to maintain privacy.	
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<u>C.16 Acoustic Privacy</u>		
Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.	Noise Sensitive rooms such as bedrooms have been appropriately offset and setback to ensure acoustic privacy.	Yes
Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the <i>Building Code of Australia</i> . (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the <i>Building Code of Australia</i>).	N/A	N/A
Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.	N/A	N/A

Developments must comply in all respects with the <i>Protection of the Environment Operations Act 1997</i> , and other relevant legislation.	Noted	Noted
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<u>C1.7 Private Open Space</u>		
Minimum 80m ² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.	More than 80m ² of private open with dimensions greater than 3m has been provided at the rear.	Yes
Within the private open space area, a minimum principal area of 16m ² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).	A minimum principal area of 16m ² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%) has been provided at the rear of the property and within the front balconies of the dwelling.	Yes
Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.	Private open space is directly accessible from the ground floor Family/Living area.	Yes
Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).	Suitable solar orientation is provided to all private open space areas.	Yes
Private open space should be located to the rear of the dwelling to maximise privacy for occupants.	More than 80m ² of private open space with dimensions greater than 3m has been provided at the rear.	Yes

Where this open space needs to be provided to the front of the dwelling, the area should be screened from the street to ensure that the area is private.	Opaque balustrades are proposed along the perimeter of the front balconies of the dwelling.	Yes
A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.	All balcony widths exceed 2.4m in length.	Yes

<p>vi. verandahs, pergolas or similar features above garage doors.</p> <p>The bulk and scale of buildings must be minimised.</p> <p>Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.</p> <p>Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.</p> <p>Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view. General service facilities must be located underground.</p> <p>General service facilities must be located underground.</p> <p>Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.</p>	<p>The Location of the garage is subtle and is located behind and underneath the cantilever balconies. The width of the garage is less than 50% of the Lot Frontage.</p> <p>Suitable landscaping has been preserved to reduce the visual impact of the proposed dwelling to the existing natural landscape.</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>Yes</p> <p>Yes</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
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<p><u>D4.2 Scenic protection - General</u></p> <p>Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.</p>	<p>The development is relatively minor and will not impede the natural landscape when viewed from any waterway road or public reserve.</p>	<p>Yes</p>
<p><u>D4.3 Building colours and materials</u></p> <p>External colours and materials shall be dark and earthy tones.</p>	<p>The proposed development will utilise colours and materials which complement the natural environment and minimise the visual prominence of the dwelling . The external walls will consist of dark greys and browns. The roof will consist of dark grey corrugated roofing.</p>	<p>Yes</p>
<p><u>D4.5 Front building line</u></p> <p>Land zoned R2 Low Density Residential or E4 Environmental Living adjoining McCarrs Creek Road or Pittwater Road should be 10 Meters or established building line, whichever is the greater.</p>	<p>Front Setback is 10.0m</p>	<p>Yes</p>

<p><u>D4.6 Side and rear building line</u></p> <p><u>2.5 to at least one side;</u> <u>1.0 for other side</u></p> <p><u>6.5 rear (other than where the foreshore building line applies)</u></p>	<p>Side Setback : 2.5 m (southern side) 1.0m (Northern Side)</p> <p>Rear Setback: 6.5m</p>	<p>Yes</p> <p>Yes</p>
<p><u>D4.8 Building envelope</u></p>	<p>The Building height of the proposed dwelling is Approx. 8m at its highest point and under 8.5m in accordance to PLEP 2014</p>	<p>Yes</p>
<p><u>D4.10 Landscaped Area - Environmentally Sensitive Land</u></p> <p>The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.</p>	<p>Proposed Landscape Area 60.4% = 311 sqm.</p>	<p>Yes</p>

that of a compliant landscape area, the variation is requested to be considered in this instance.

Conclusion with respect to DCP requirements

The proposal is considered to reasonably satisfy the objectives of the relevant design provisions relating to dwellings as contained within the Pittwater 21 Development Control Plan.

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

The following matters are considered relevant when considering onsite impacts.

Siting and Design

The proposed dwelling will be compatible in terms of height, bulk and scale with surrounding developments and current developments within the area.

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

Sedimentation Control

Due to the topography of the site, excavation will be required as shown on the development plans. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

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

Noise and Vibration

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

(c) The suitability of the site for the development

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

The proposed dwelling, the subject of the application, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

The dwelling is permissible with development consent under the provisions of Pittwater LEP 2014, and generally satisfies the objectives of the relevant development control plan as discussed above.

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

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

(e) Public interest

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

CONCLUSION

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

It is considered that the construction of the proposed dwelling will complement and blend with the existing residential character of Church Point. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.



Paul Tleige – Director
Bach of Town Planning
Grad Cert of Building Surveying