

STATEMENT OF ENVIRONMENTAL EFFECTS

Submission to Northern Beaches Council

ALTERATIONS AND ADDITIONS TO EXISTING DWELLING HOUSE

at



87 Dolphin Crescent Avalon Beach

June 2021

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1 Summary

Land to be developed (Address):	Lot 9 DP28663 87 Dolphin Crescent Avalon Beach NSW 2107
Proposed Development:	Alterations and Additions to an existing dwelling house
Zoning:	E4 - Environmental Living
Development Permissible:	Yes
Existing Use Rights:	Not applicable to this development
Consent Authority:	Northern Beaches Council
Owner:	Sally Rhys-Jones & Ben Fillingham

2 Introduction

This Statement of Environmental Effects (SEE) has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000. The purpose of this SEE is to:

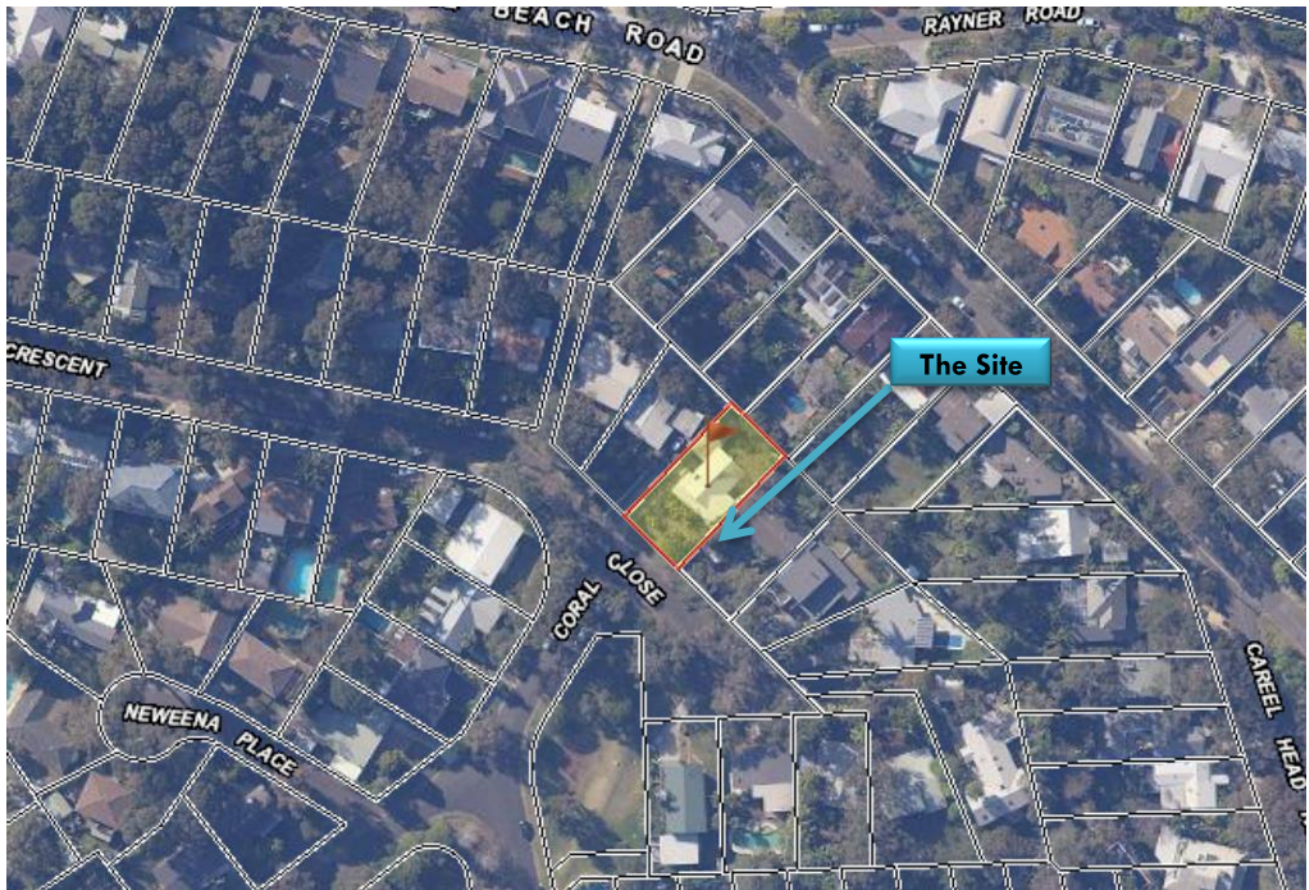
- Describe the proposed development and its context;
- Assess the potential environmental impacts and mitigation measures; and
- Assess the proposal against the applicable planning controls and guidelines.

This SEE assesses against the applicable planning controls for the site, including the relevant provisions of:

- Environmental Planning and Assessment Act 1979 (EPAA);
- Environmental Planning and Assessment Regulation 2000 (EPAR);
- Pittwater Local Environmental Plan 2014 (PLEP);
- Pittwater 21 Development Control Plan (PDCP);
- State Environmental Planning Policy No 55—Remediation of Land;

in support of the development application for the proposed alterations and additions to an existing dwelling house at 87 Dolphin Crescent Avalon Beach NSW 2107.

The proposed development is a visual and practical improvement of the existing dwelling house. Upon completing the assessment against all aforementioned documents, it is concluded that the development satisfies, otherwise comes within the 'four corners' of the relevant development standards.



Aerial Photograph (From SIX Maps)

3 Site & Locality Description

- The subject allotment is a regular shaped lot and is known as 87 Dolphin Crescent Avalon Beach.
- The site is on the high side of Dolphin Crescent.
- A Queenslander style house currently occupies the site.
- The site is located within land zoned for E4 - Environmental Living pursuant to the PLEP2014.
- Dwelling houses are permitted with consent on E4 zone. As such, the proposed development is ancillary to the existing dwelling house; thus, is permissible.
- The site comprises of one lot, legally described as Lot 9 DP28663, and has a total area of 696.8sqm.
- The site is facing Dolphin Crescent with a frontage of 18.29m. The rear boundary at Northeast is 18.29m.
- Surrounding developments consist of similar detached one to two-storey dwelling houses of varying ages.



Existing Dwelling House - View from Front Boundary

4 Proposed Development in Detail

The development proposal includes alterations and additions, as follows:

Ground Floor

- Demolition of existing garage walls and construction of garage with reduced width and extended length;
- Demolish existing carport and construct a new carport;
- Addition of storage, laundry, and Kitchenette;
- Addition of an external shower;
- Remove external stairs at the rear;
- New drainage;
- New retraining walls to replace existing retaining walls at the rear

5 Compliance Assessment

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans, and Council Policies have been considered in the merit assessment of this proposal.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder:

5.1 Pittwater Local Environmental Plan 2014 (PLEP)

5.1.1 Clause 4.3 Height of Buildings

In accordance with Clause 4.3(2), the height of any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The Height of Buildings Map nominates a maximum building height of 8.5m.

The proposed addition to the house sits below the existing dwelling height, and existing dwelling height is 4.7m. Thus, comply with the maximum height limit.

5.1.2 Clause 5.10 Heritage conservation

Subclause: (5) Heritage assessment - the consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned, is relevant to this development.

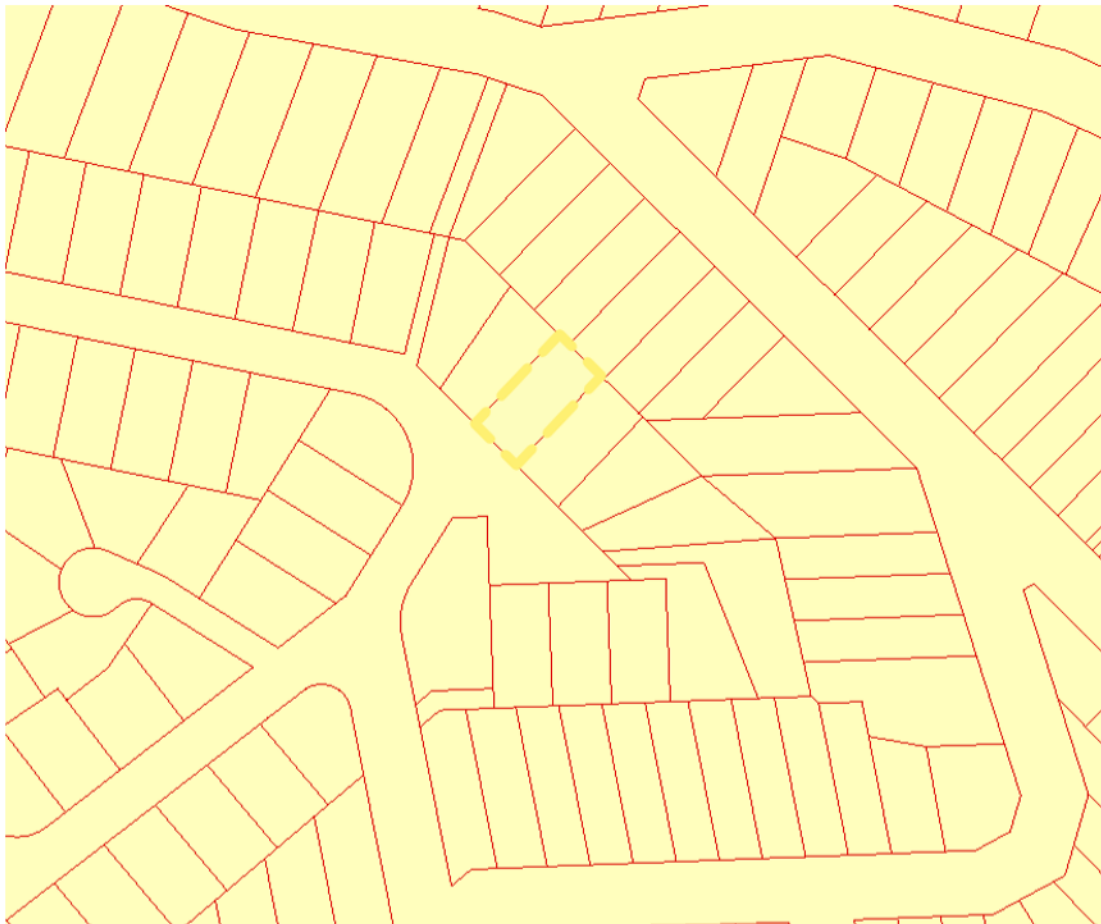
There are no heritage items in the vicinity of the subject property; thus, heritage management document is not provided.



Extract From Heritage Map (ePlanning Spatial Viewer)

5.1.3 Clause 7.1 Acid sulfate soils

The site is identified as being mainly within 'Class 5' on the Acid Sulfate Soils Map. Disturbance to earth is limited to 'Class 5' acid sulfate area. The objective of this clause is to ensure that development does not disturb, expose, or drain acid sulfate soils and cause environmental damage. The proposal does not involve excavation; thus, the water table will not be affected by the proposed works.



Extract From Acid Sulfate Soils Map (ePlanning Spatial Viewer)

5.1.4 Clause 7.2 Earthworks

The proposal does not involve excavation; thus, the development will not have a detrimental impact on environmental functions and processes, neighboring uses, cultural or heritage items or features of the surrounding land. Development complies with the clause.

5.1.5 Clause 7.6 Biodiversity Protection

The property is identified in the Pittwater biodiversity map. Proposed alterations and additions sit within the already disturbed area of the site. The development does not propose removal of

trees. Given these reasons, it can be concluded that the development does not cause any adverse impact on the vegetation on the land, ecological value and significance of the fauna and flora on the land, and habitat and survival of native fauna.



Extract From Pittwater Biodiversity Map (ePlanning Spatial Viewer)

5.1.6 Clause 7.10 Essential services

According to this clause, the 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:

- a) the supply of water,
- b) the supply of electricity,
- c) the disposal and management of sewage,
- d) stormwater drainage or on-site conservation,
- e) suitable vehicular access.

The site currently enjoys the services of water, electricity, and sewerage as well as vehicular access.

5.2 Pittwater 21 Development Control Plan (PDCP)

The site is located within the Avalon Beach Locality. The proposed development is generally consistent with the outcomes of clause A4.1 of PDCP. The proposed ancillary development will not impact character of the locality. The locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape.

5.2.1 Control B1 Heritage Controls

There are no heritage items in the vicinity of the development. Please refer to section '5.1.2- Clause 5.10 Heritage conservation' of this report for further information.

5.2.2 Control B3.6 Contaminated Land and Potentially Contaminated Land

Although contaminated sites may occur anywhere, they are typically clustered in areas that have been used for heavy industry, mining, chemically intensive agriculture and the storage of chemicals, petroleum-based products or waste products. A review of the site history indicates that the subject site has been used for residential development purposes for an extended period; there is no evidence to indicate that the subject site has been exposed to activities that would result in land contamination. Considering the above and assuming that recommended conditions are adhered with, the proposal is considered to satisfy the relevant provisions of SEPP No. 55. Please refer to section 5.3 of this report for further information.

5.2.3 Control B4.6 Wildlife Corridors

The development is proposed in the area is already cleared and disturbed by the existing development. The development does not propose any removal of trees. The vegetation at the rear of the site, is not disturbed by the development. Given these reasons, it can be concluded that the development does not cause any adverse impact on any wildlife corridors and survival of native fauna.

5.2.4 Control B5 Water Management Controls

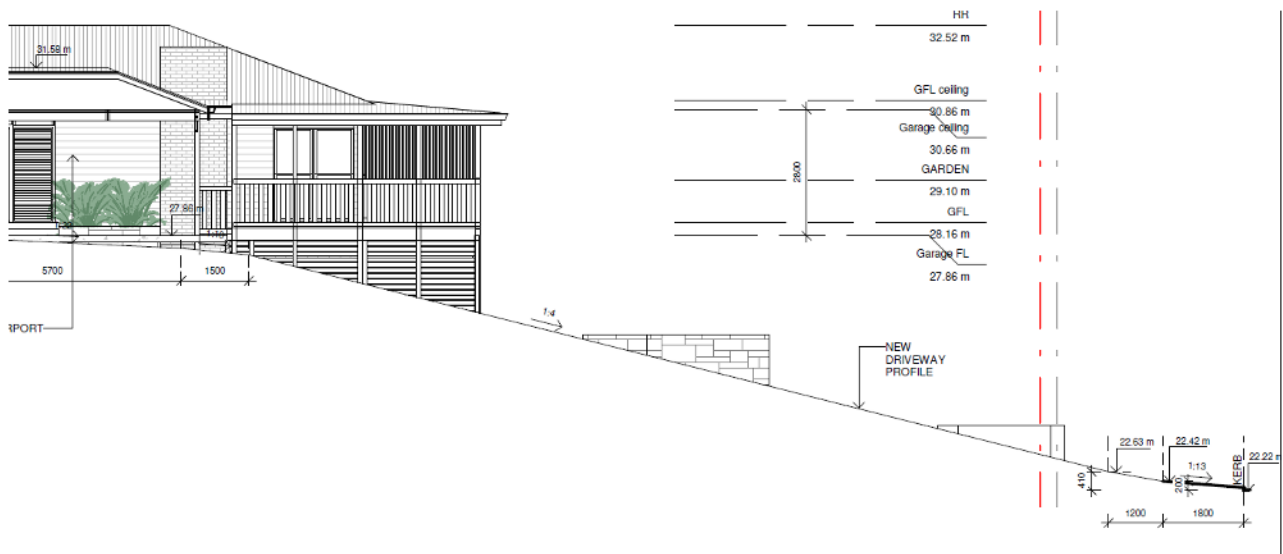
Stormwater drainage is to be connected to a public drainage system by gravity means to which it would naturally flow. The development reduces hard surface area by up to 3% (24sqm). Therefore, the development does not require an OSD system. However, detail stormwater plans by Taylor Consulting Engineers forms part of this application. Please refer to stormwater plans for further information.

5.2.5 Control B6.1 Access driveways and Works on the Public Road Reserve

Even though the sum of the proposed additional Gross Floor Area (GFA) of the dwelling does not exceed 30sqm, the development includes improvements to the driveway due to the current tattered condition of the access driveway. The improvements to the driveway will include impervious pavement and gutter crossing construction. The proposed driveway has a gradient with a maximum 1:4 (V: H) transition, and on the approach to a garage gradient is 1:22 (V: H). Prior to the commencement of any construction works, a Section 139 Consent for Works on the Public Road Reserve will be obtained. Please refer to the new driveway profile provided within the plans.



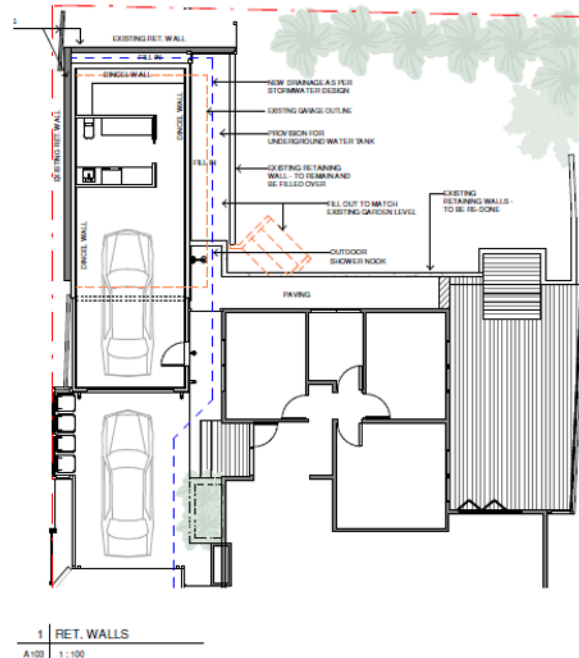
Existing access from Dolphin Crescent



New Driveway Profile

5.2.6 Control B6.3 Off-Street Vehicle Parking Requirements

A dwelling with two bedrooms or more requires two off-street parking spaces. The development provides two off-street parking spaces. Furthermore, all-day street parking is also available on Dolphin Crescent.



Proposal caters for two off-street car parking spaces

5.2.7 Control B8.2 Construction and Demolition - Erosion and Sediment Management

Erosion and sedimentation prevention measures will be installed on site to prevent migration of sediment off the site into any waterways, drainage systems, public reserves, road reserves or adjoining private lands. Please refer to the erosion and sedimentation management plan for more details.

5.2.8 Control B8.3 Construction and Demolition - Waste Minimisation

Waste generated as a result of construction, demolition and excavation works will be minimised and re-used on site to the maximum extent possible. Please refer to the waste management plan for further information.

5.2.9 Control B8.4 Construction and Demolition - Site Fencing and Security

The site will be protected by site fencing for the duration of works.

5.2.10 Control B8.5 Construction and Demolition - Works in the Public Domain

The development includes construction works in the public road reserve. Prior to the commencement of any construction works, a Section 139 Consent for Works on the Public Road Reserve will be obtained.

5.2.11 Control C1.1 Landscaping

Proposed alterations and additions to remain result in reduction of hard surface area and mainly sits within the existing building footprint. The development is not proposing to remove any existing trees nor proposing significant changes to existing landscaping and improves a total landscaped by up to 2%. Total landscape area is 342sqm, which is 49% of the total site area. The development is to maintain existing landscaping. The built form of the development is to be complimented by existing landscaping.

5.2.12 Control C1.3 View Sharing

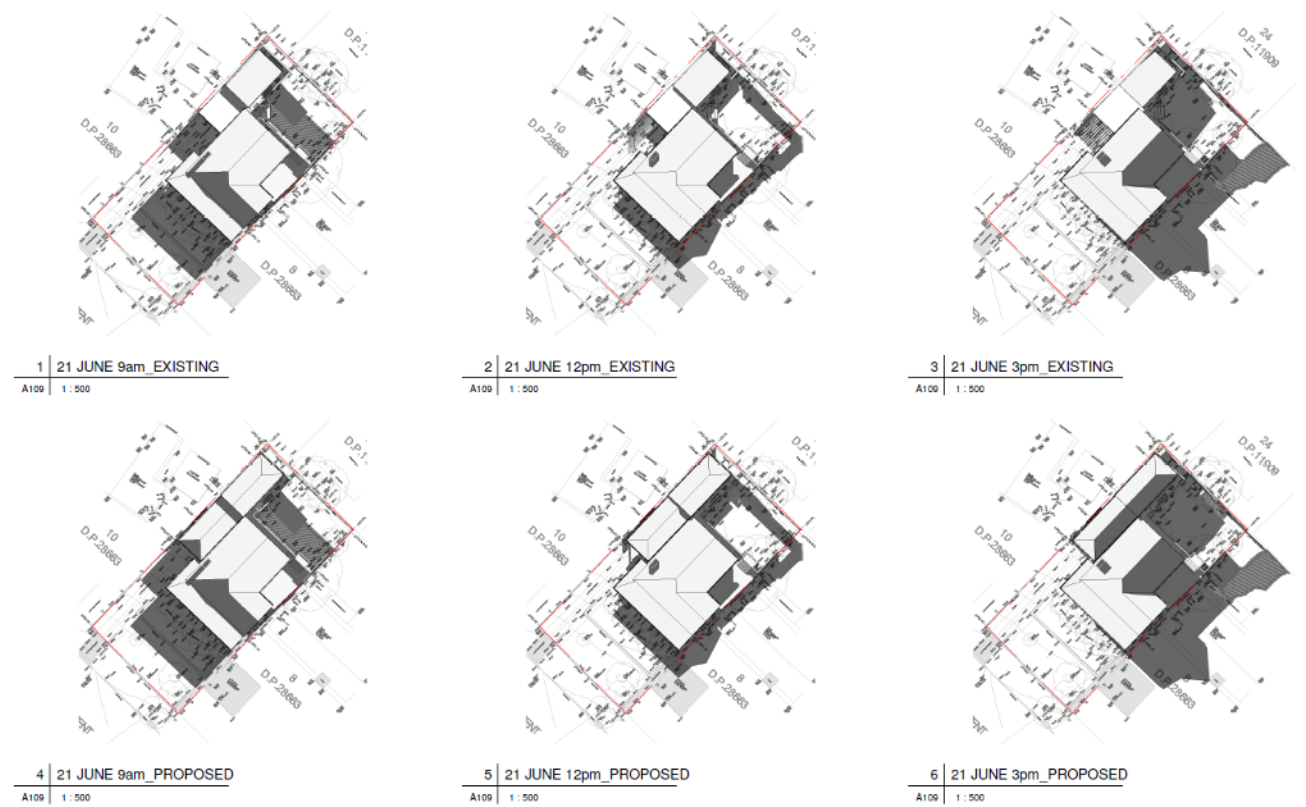
Development maintains reasonable sharing of views. Ancillary development sits below the existing dwelling height and complies with the maximum permissible building height limit. The proposed alterations do not affect the views of the neighbours adjoins the side or rear boundaries. The dwelling adjoins the rear boundary sits on an elevated ground; thus, the proposed addition does not affect the views from their balconies. Dwellings adjoin the side boundary do not share any view corridors across the subject site. The design of the building in combination with the existing sloping topography will maintain the existing views from adjoining properties; thus, comply with the control.



Existing Neighbouring Dwelling At The Rear

5.2.13 Control C1.4 Solar Access

The provided shadow diagrams confirm that the main private open space, windows to the principal living area and the main private open space and windows to the principal living area of any adjoining dwellings will receive a minimum of 3 hours of sunlight between 9 am and 3 pm on June 21. Any additional shadows created by the ancillary development falls within the subject site. The development complies with the control.



Shadow Diagram of The Proposed Development

5.2.14 Control C1.5 Visual Privacy

Proposed development is only an ancillary development and does not include any windows. Thus, the development does not cause any visual privacy impact to the neighbours.

5.2.15 Control C1.6 Acoustic Privacy

The proposed development is only an ancillary development; it is not a noise-generating or noise-sensitive room. Therefore, proposed alterations comply with the control.

5.2.16 Control C1.7 Private Open Space

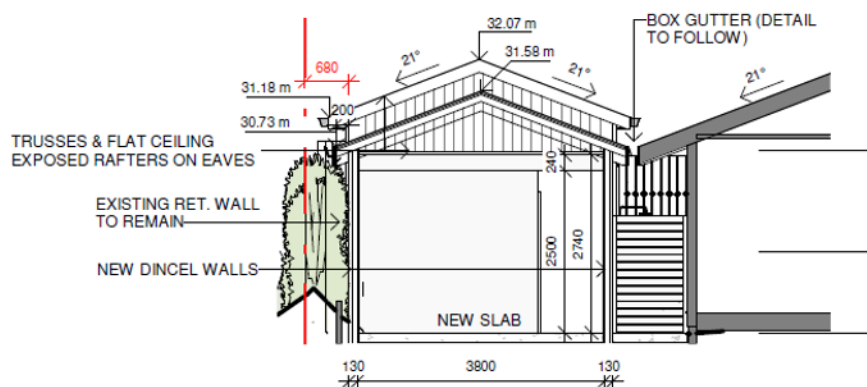
The development maintains existing private open space area at the rear of the dwelling. Private open space area receives direct sunlight throughout the year. The private open space area includes provision of clothes drying facilities and screened from the street or a public place.

5.2.17 Control C1.12 Waste and Recycling Facilities

All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines, and a Waste Management plan must accompany all relevant Development Applications. Please refer to the waste management plan for more details.

5.2.18 Control C1.23 Eaves

The proposed development includes eaves with more than 200mm in width on all elevations. Regardless of the numerical departure, the proposed ancillary development reflects the coastal heritage and character of Pittwater and does not impede achieving appropriate solar access and shade. Therefore, proposed roof meets the objectives of the control.



Proposed Eaves

5.2.19 Control D1.5 Building colours and materials

The colours and materials used for alterations and additions to the existing structure, will complement the existing external building façade.

5.2.20 Control D1.8 Front building line

Buildings in E4 Environmental Living area should have a setback of 6.5m or an established building line, whichever is the greater. The existing dwelling is setback more than 6.5m from the front building line. The proposed ancillary development is setback more than 6.5m from the front building line and does not alter the existing front building setback.

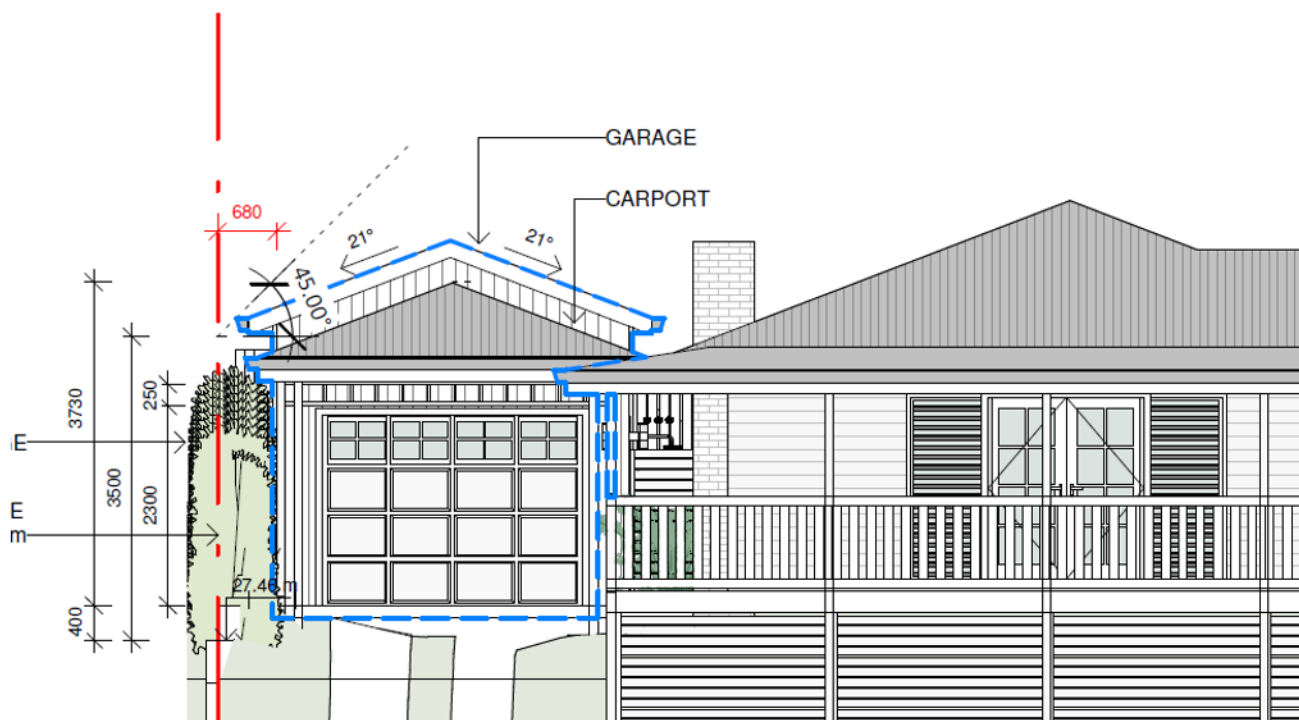
5.2.21 Control D1.9 Side and rear building line

The development should maintain 2.5m to at least one side, 1.0m for other side setbacks, and a 6.5m rear setback area. The proposed ancillary development sits along the Northwestern side

boundary. Therefore, development is setback more than 2.5m from the Southeastern boundary. The development maintains existing setbacks (0.6m) from the Northwestern boundary. The departure from side setback requirements does not create any visual, acoustic or solar access impacts. The dwelling is set back more than 1.9m from the rear boundary. The steep topography at the front of the site limits development potential at the front. Therefore, development is sited closer to the rear boundary. The sunken position of the garage minimizes the bulk and scale of the built form. The development does not impact any existing view corridors enjoyed by neighbours, as discussed in section 5.2.12 of this report. The development does not require removal of trees and does not create any solar access, visual or acoustic impacts, as discussed in section 5.2.13, 5.2.14, and 5.2.15, respectively. Thus, the proposed variation is assessed as minor and satisfactory in meeting the objectives of the control. In our assessment of the proposal, the circumstances and merits support the variation.

5.2.22 Control D1.11 Building envelope

The side boundary envelope map prescribes that the building envelope must be determined by projecting the wall planes 45 degrees from a height above ground level (existing) at the side boundaries of 3.5m. The ancillary development does return 45 degrees after 3.5m, and complies with the control.



Compliance with Building Envelope

5.2.23 Control D1.14 Landscaped Area - Environmentally Sensitive Land

The total landscaped area on land zoned E4 Environmental Living shall be 60% of the site area. Any alterations or additions to an existing dwelling shall provide a minimum of 60% of the site area as landscaped area. The development provides 342 m² (49%) landscaped area. This is 2% increase than existing landscape area. Despite the numerical non-compliance with the landscape area requirement, the departure does not result in a development that is otherwise inconsistent with the objectives of the control. Indeed, the resultant development will remain consistent with the intent of the control.

5.2.24 Control D1.17 Construction, Retaining walls, terracing and undercroft areas

Given the sloping topography of the site, the proposed development includes retaining walls. A structural design and structural design certificate accompany the development and supports the proposed retaining walls. The development responds sensitively to natural topography and minimises disturbance to natural landforms.

5.3 **State Environmental Planning Policy No. 55 – Remediation of Land**

SEPP No. 55 applies to all land within NSW and aims to promote the remediation of contaminated land and reduce the risk of harming human health and the environment. Clause 7 of the SEPP provisions prescribe that the consent authority must have considered as to whether the land is contaminated, if the land is contaminated, it is satisfied that the land is suitable in its contaminated state and/or if suitable remediation processes are required before the land is used for any proposed uses.

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether the land is contaminated. Although contaminated sites may occur anywhere, they are typically clustered in areas that have been used for heavy industry, mining, chemically intensive agriculture and the storage of chemicals, petroleum based products or waste products. The subject site has been used for residential purposes for a significant period of time. In this regard, it is considered that the site poses no risk of contamination; therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55, and the land is considered to be suitable for the residential land use.

6 **Conclusion**

This Statement of Environmental Effects has considered the submitted plans and all other documentation supporting the application and assessed against all relevantly applicable to planning provisions. The proposal does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be consistent with the objectives of the DCP, zone objectives and aims of the LEP, objectives of the relevant EPIs and objects of the Environmental Planning and Assessment Act 1979.

In our opinion, the proposed development satisfies the appropriate controls. The proposed alterations and additions will integrate with the landform and landscape and be consistent with surrounding developments. In summary, the proposal should be approved as the design is reasonable for the site by virtue of the level of non-compliance that does not create unreasonable amenity impacts.

We have attempted the provided information in this SEE to be as accurate as possible, relying on the information provided to us to date. However, we make no claims, guarantees or promises about the accuracy, currency, or completeness of the information provided and are not responsible for any errors or omissions, or for results obtained from the use of the information. Every possible effort is made to keep the content of this document accurate and current, but that may not always be the case.