

Statement of Environmental Effects



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Construction of a pool and studio, 32 NAREEN PARADE, NORTH NARRABEEN 2101

03 December 2024

Revision History

Version	Author	Reviewed	Date
Rev A - Initial SEE	DD	DD	03 December 2024

Authorship

This statement is prepared by Dean Dallwitz, Bachelor of Mechanical Engineering (Hons), owner 32 Nareen Parade, North Narrabeen.

1. SUMMARY

This Statement of Environmental Effects is prepared for the consideration of Northern Beaches Council in support of an application for construction of a pool and studio at 32 Nareen Parade North Narrabeen. The purpose of this report is to describe the development and review the relevant planning requirements relating to the proposal.

The proposal has been designed to relate to its site, and have minimal impact in terms of design, materials, visible height and local amenity impacts. This statement provides for an assessment of the proposal having regard to relevant legislation and the Northern Beaches Policies under the terms of 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The preparation of this Statement is pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979 (As amended)* and the *Environmental Planning and Assessment Regulation 2000*. This statement assesses the proposal to be generally acceptable on merit, demonstrating the development will not result in any unacceptable adverse impacts. The proposal is generally in compliance with all relevant DCP and LEP objectives.

2. THE SITE

The subject site is known as 32 Nareen Parade North Narrabeen 2101. The real property description is Lot 422 in DP1004511.

The site is occupied by a two-storey residential dwelling with associated vegetation on the block. The property is irregular in shape and accessed by a right of carriageway. It has a frontage of 21.1 meters, variable depth of between 77.62 and 69.51 meters, and an area of 1601.0 square meters. The site is surrounded by other low-density residential dwellings. This site is **not** a heritage listed property.

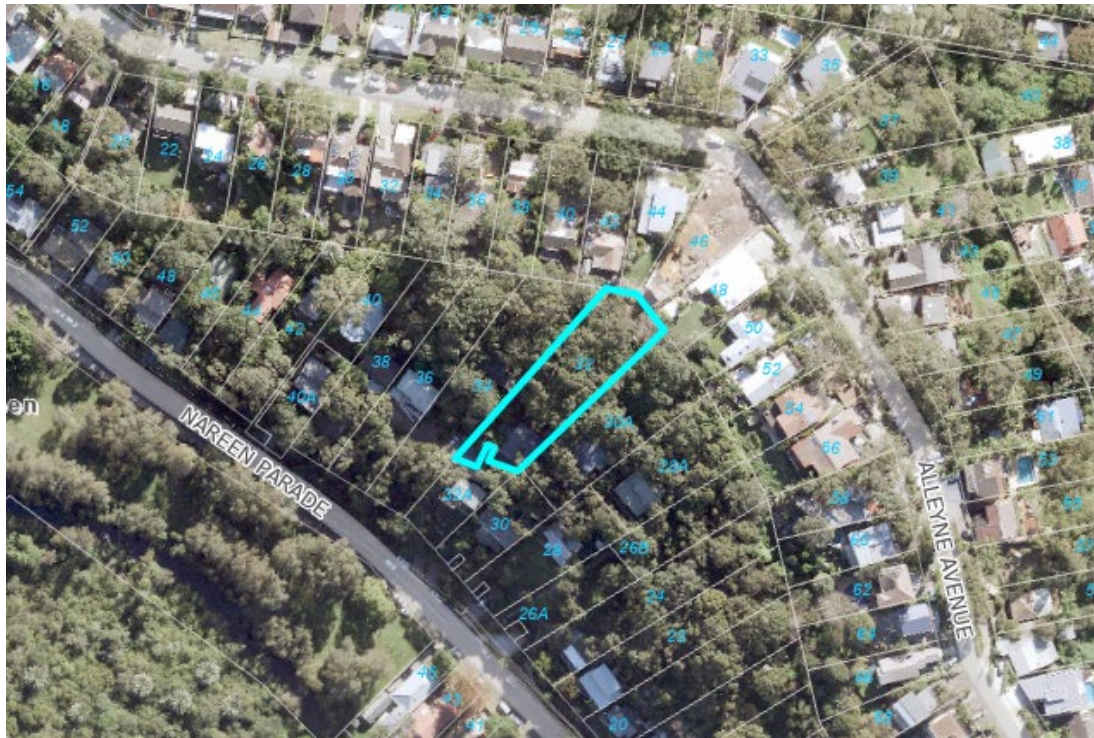


Figure 1: Location Plan of the site

3. DPIE Biodiversity Values Mapping (BVM)

The site is mapped within the DPIE Biodiversity Values Mapping (BVM). The BVM area is to the Northeast of the property, however the proposed works are at the Southwestern end of the property and are **not** located in the high biodiversity value area.



Figure 2: Location Plan on Biodiversity Values Map and Threshold Tool

4. RELEVANT HISTORY

Council's online DA tracker has been examined. No readily available information can be sourced regarding the construction of the existing dwelling.

5. DESCRIPTION OF PROPOSAL

Consent is sought from Northern Beaches Council for construction of a new pool and studio. The works in detail include the following:

Demolition

The location of the proposed pool used to have a deck in the area which was removed in 2022. A decayed unused staircase remains which requires removal only. The remainder of the area, the location of the old deck is already cleared, no trees require removal and therefore the proposed works do not require any further demolition.

Excavation

Excavation is proposed to create a supporting structure and includes primarily footing holes for the pool supporting suspended deck.

Pool and Studio Level

The pool and studio are located at a level equivalent to the ground floor of the existing dwelling and at the underside of the existing 1st floor deck. The studio will be created by enclosing an area under the existing deck.

Materials and Finishes

The materials and finishes include a sheet cladding, timber windows and doors in keeping with the current dwelling architecture. The decking around the pool will be composite timber with stainless steel safety fencing.

Works on Council Property

NIL

Utilities

The utility services available to the site including electricity, gas, telecommunications, sewer and stormwater. It is not anticipated that the proposal will have an adverse impact on the provision or availability of these services.

Waste

A Waste Management Plan has been prepared for the construction of the development and is included in this application. The works can comply with any appropriate condition of consent imposed in relation to waste management.

Access

As the site is accessed via a shared driveway, access arrangements for the delivery and installation of the pool (swim spa) will be coordinated with other property owners that share the driveway.

The driveway is currently condemned due to two landslides that occurred in March 2022 and therefore the proposed works will not be able to commence until the driveway is repaired. A development application has been lodged 13th June 2024 for the repair of the driveway. Refer development application [DA2024/0741](#).

The delivery of all materials including the swim spa will be able to be delivered via the new driveway. The swim spa will be delivered using a 6m fixed rigid vehicle and the new driveway can accommodate this vehicle size. Placement of the spa will be carried out using an articulated all terrain crane for which the new driveway can also accommodate.

Stormwater

A stormwater management system has been developed to accommodate the development works, as well as comply with Council's requirements including dealing with overland flow matters. A Stormwater Management Plan have been prepared and included with the application.

6. ENVIRONMENTAL ASSESSMENT UNDER SECTION 4.15

The following matters are to be considered in the assessment of this development application under Section 4.15 of the Environmental Planning & Assessment Act, 1979 (As amended).

- **SECTION 4.15(1)(a) ENVIRONMENTAL PLANNING INSTRUMENTS**

- **Integrated Development**

The proposal does not constitute Integrated Development and does not require concurrent approval from any other State Government Bodies.

- **Relevant State Instruments and Legislation**

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

The proposal involves alterations and additions to a residential dwelling which is estimated at \$50,000.00 in value, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") typically requires the preparation of a valid BASIX certificate when the estimated value is greater than \$50,000.00. Regardless a valid BASIX Certificate is submitted with the development application and relevant BASIX commitments are noted on the plans where applicable.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

This SEPP provides a state-wide practice for the remediation of contaminated land. Under chapter 4 clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021, consideration has to be given as to whether the land is contaminated.

The site appears to have been in residential use since its original subdivision and construction. Prior

to this, the site was likely to have been naturalised bushland. There is no evidence of any potentially contaminating uses occurring. It can be concluded that there is no likelihood of contamination on this site and the site will continue to be suitable for residential purposes. No further consideration is therefore required pursuant to the SEPP.

Aims and objectives of zone

The site is zoned "C4 Environmental Living" Zone under the provisions of the Pittwater Local Environmental Plan 2014. The C4 zone is for land with special environmental or scenic values and accommodates low impact residential development.

As the proposed pool is located outside the BVM zone and within an area disturbed by previous development works, the proposed works are deemed of no impact to the objectives of the C4 zone. Further the area has no native flora that needs to be removed.

The studio is also located underneath an existing deck and therefore will not impact the objectives of the C4 zone.

Zone C4 Environmental Living

1 Objectives of zone

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

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures

4 Prohibited

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

The proposed development, being construction of a pool and studio is permissible development with consent of the Council.

The new works will sit comfortably with surrounding development and natural environment.

Pittwater Local Environmental Plan 2014 Controls Relevant LEP clauses/development standards

Note: Only relevant clauses are commented upon

CL. Standard/Control	Complies	Comment
PART 4 PRINCIPAL DEVELOPMENT STANDARDS		
Clause 4.1 Minimum Subdivision Lot size	N/A	No subdivision proposed
Clause 4.3 Height of buildings (8.5 metres)	N/A	No new building proposed. Studio is below existing deck, and pool is at a level equivalent to the ground floor of the existing dwelling
Clause 4.4 floor Space Ratios	N/A	Existing single dwelling. No FSR control applicable to site.
Clause 4.6 Exceptions to Development Standards	N/A	No development standards require variation as the proposal is compliant.
PART 5 MISCELLANEOUS PROVISIONS		
Clause 5.6 Architectural Roof features	N/A	Not adopted in Pittwater LEP 2014.
Clause 5.10 Heritage conservation	N/A	The site is not an identified heritage site (cultural or aboriginal). Minimal excavation is proposed but is principally for the piles to support the pool suspended deck and therefore the likelihood of uncovering relics is low.
Clause 5.11 Bushfire Hazard Reduction	Yes	The site is not susceptible to Bushfire Hazards. The site is not affected by any bushfire hazard rating as per the associated bushfire prone land map.
Clause 5.21 Flood Planning	N/A	The Lot is at a nominal 27m AHD and not identified as being in a flood prone area therefore this clause is not applicable.
PART 6 URBAN RELEASE AREAS		
Part 6 Urban Release Area	N/A	Site not part of urban release area.
PART 7 ADDITIONAL LOCAL PROVISIONS		
7.1 Acid Sulfate Soils	Yes	The subject site is located on land identified as lying within the Class 5 ASS zone. As the proposal only includes support piles and the works involve less than 1 tonne of soil and the works are not likely to lower the water table as per 7.1 (6) an Acid Sulfate Soils plan is not required.

Clause 7.2 Earthworks	Yes	<p>Consent for excavation for excavation is sought from Council pursuant to this clause. The proposal has been sited to minimise local intrusion into the topography and minimise surface disturbance.</p> <p>With regard to the heads of consideration set out under Clause 7.2 of Pittwater LEP 2014 the following comments are made regarding the proposal:</p> <p>(a) The excavation is such that it will not impact upon local drainage patterns.</p> <p>(b) The development will not impair further development in accordance with the zone or desired future character of the locality.</p> <p>(c) Contamination of significance is unlikely. Excavated material will comprise surface soil and local rocks.</p> <p>(d) The resulting proposal will not adversely impact upon local amenity.</p> <p>(e) Any excavated fill is to either be reused on site or be disposed of at an approved landfill receiving point.</p> <p>(f) The site is not an identified aboriginal or heritage site. The site is unlikely to contain aboriginal or western cultural relics.</p> <p>(g) The site is not in proximity to any environmentally sensitive areas.</p> <p>(h) Appropriate sediment and erosion control measures can be employed during the works.</p> <p>Having regard for the heads of consideration, it is the applicant's contention, that the proposal raises no concern in this regard and can be supported by Council.</p>
Clause 7.5 Coastal Risk Planning	N/A	<p>Site is not identified on the coastal Risk Planning Map. Proposal has been considered in the provisions of SEPP (Resilience and Hazards) 2021.</p>
Clause 7.6 Biodiversity	Yes	<p>The site is in the biodiversity zone.</p> <p>The proposal does not require the removal of any significant vegetation (within the context of biodiversity) with erosion and sediment control measures to be implemented to prevent pollution/sedimentation of natural waterways.</p> <p>All works are located over existing altered landscape. No significant trees, rock outcropping or vegetation will be affected by proposal. The application also proposes the implementation of an enhanced site landscape regime. As such, there will be no unacceptable biodiversity impacts. No natural vegetation of significance will be removed as a result of the works and the proposal should raise no concern in this regard.</p>

Clause 7.7 Geotechnical Hazards	N/A	<p>The site is identified on the Geotechnical Hazard Map as Geotechnical Hazard H1.</p> <p>As per clause 7.7 (3) “the consent authority must consider the following matters to decide whether or not the development takes into account all geotechnical risks—</p> <p>(a) <i>site layout, including access,</i> Refer to the site plans included with this application</p> <p>(b) <i>the development’s design and construction methods,</i> Refer to the Structural Engineering Report and Geotechnical Report included with this application.</p> <p>(c) <i>the amount of cut and fill that will be required for the development,</i> The cut is minimal and only required for the supporting piles. There is no fill proposed.</p> <p>(d) <i>waste water management, stormwater and drainage across the land,</i> There is no impact to wastewater, stormwater or drainage across the land. As the works do not include any new roof area and the pool is elevated no additional stormwater management is required as there is no additional roof run off nor impact to overland flow.</p> <p>(e) <i>the geotechnical constraints of the site,</i> Please refer to the Geotechnical Report provided with this application.</p> <p>(f) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> Due to the minimal groundworks and the structural design, the proposed works will mitigate any geotechnical hazards.</p>
Clause 7.8 Limited development on foreshore area	N/A	Site is not affected by a foreshore building line.
Clause 7.10 Essential Services	Yes	The site as existing is adequately serviced and does not require augmentation of any services to facilitate. or undertake the alterations.

7. Section 4.15(1)(a)(ii) DRAFT AMENDMENTS TO STATUTORY CONTROLS

There are no draft amendments noted to any statutory controls applicable to the proposal.

8. Section 4.15(1)(a)(iii) DEVELOPMENT CONTROL PLANS

- **Pittwater 21 DCP Compliance Table**

Note: Sections of the DCP clearly not applicable to the proposal have not been included.

CL.	Standard/Control	Complies	Comment
Part B General Controls			
B1	Heritage controls	N/A	As discussed in previous table, site is not an identified heritage item.
B3	Hazard Controls		
B3.1	Landslip Hazard	Yes	The level of excavation proposed on site can be safely accommodated on site during construction of the development with no risk to adjoining development. Further the structural design considers the Geotechnical Report provided and as piles are the only excavation proposed there is no risk of landslip. The applicant has no objection to adhering to any requirements of Council in this regard.
B3.2	Bushfire Hazard controls	N/A	The site is not susceptible to Bushfire Hazards.
B3.11	Floor Prone Land	N/A	The subject property is not identified as being affected by flooding hazard.
B3.6	Contamination	Yes	The site has an extended history of residential usage. and as such the potential risk of contamination is minimal. Additionally, all works are occurring in a previously disturbed area. As such the risk of any contaminating activities is minimal and the site should continue to be suitable for use for residential purposes. Please also refer to the SEPP (Resilience and Hazards) 2021 discussion.
B4.6	Wildlife Corridors	Yes	No significant natural vegetation or landform is proposed or required to be removed as a result of the proposed works. No existing wildlife buffers will be affected by the proposal. New landscaping is proposed.
B5.2, B5.3	Wastewater Disposal	N/A	There is no impact to the existing wastewater system.

B5.4, B5.7, B5.8 5.10 5.12 5.14	Stormwater	Yes	Stormwater system to be connected to the existing street drainage system. The proposal, once completed should not result in any adverse degradation of surface runoff and stormwater entering the drainage system. The applicant has no objection to adhering to any of Council's requirements in this regard.
B6 B6.1, B6.2 B6.3 B6.5	Access and Parking	N/A	There is no impact to parking.
B8	Site Works Management	Yes	Disturbance to the topography of the site will be minimal and should not generate significant or special sedimentation control requirements.

PART C Design Criteria for Residential Development

C1.1	Landscaping	Yes	Minor landscaping will be implemented around the footprint of the pool only.
C1.2	Safety and Security	N/A	This proposed works do not require compliance with this item.
C1.3	View Sharing	Yes	Views from other adjoining dwellings will not be impacted as a result of the proposed works as all the area is currently shielded by a bamboo hedge which will be maintained and reinstated in any area that needs to be removed to facilitate construction.
C1.4	Solar Access	N/A	The proposed works will have no impact to solar access of adjacent properties.
C1.5, C1.6	Visual Privacy/Acoustic Privacy	Yes	The location is currently screened by a bamboo hedge which will be maintained and reinstated in any area that needs to be removed to facilitate construction.
C1.7	Private Open Space 80 square metres is to be provided at ground level. Minimum dimension of 3 metres.	N/A	Adjacent properties are not in line of sight for the proposed pool and acoustic privacy will be maintained. The proposal does not impact the active outdoor area.
C1.10	Building Facades	Yes	The studio enclosure is articulated and will not have an adverse impact upon the established character of the area and locality.
C1.12	Waste and Recycling Facilities	N/A	The proposed works will have no impact.
C1.13	Pollution control	Yes	The development will not give rise to unreasonable pollution generation.
C1.14	Separately Accessible Structures	N/A	There are no new separate structures proposed in the yard which can be repurposed into habitable structures or functions as detached studios or offices.
C1.17	Swimming Pool Safety	Yes	Pool area to be fenced and relevant safety warning signs erected.
C1.18	Incline Passenger Lift and Stairways	N/A	No lift or inclinator is proposed both internal or external to the building.
C1.23	Eaves	N/A	The studio enclosure is within an existing roof & eave line. No new eaves are proposed.
C1.24	Public Road Reserve – Landscaping and Infrastructure	Yes	No street trees will be impacted by the proposal.

Part D Locality Based Controls – North Narrabeen Locality

D11	North Narrabeen Locality – desired future character	Merit	The proposal will maintain the intended character of the area being a low-density residential area. The works seek primarily to improve the amenity for the occupants of the site within the new dwelling without compromising the established character of the area or adverse impact to neighbouring buildings. The proposal does not adversely increase upon the bulk of the existing dwelling.
D11.1	Character from a Public Place	Yes	The development will enhance the current dwellings general presence without compromising streetscape or the general locality.
D11.2	Scenic Protection	Yes	The development will not unreasonably impact upon the local regional scenic qualities.
D11.3	Building Colours and Materials	Yes	New contemporaneous colour scheme and materials schedule used consistent with other new constructions in the immediate locality.
D11.6	Front Building Line 6.5 or established building line, whichever is the greater	Yes	The location of the pool is behind the established building line of the garage.
D11.7	Side and Rear Building Line 2.5 m to at least one side; 1.0 m for other side 6.5 metre min rear	Yes	Side and rear setbacks are in compliance with the requirements of this clause with 1.0m to the Western Boundary. The location of the pool is greater than 40 meters from the rear boundary.
D11.8	Building Envelope	N/A	The pool and studio do not impact the existing building envelope.
D11.10	Landscaped Area – General 50%, 6% impervious	Part	The pool and studio will not impact the site landscaped area materially and local landscaping and planting will be provided around the pool area.
D11.11	Landscaped Area - Environmentally Sensitive Land	Yes	The proposed works are not within, nor near any environmentally protected zone. The proposed works are in an area previously disturbed by the original dwelling.
D11.12	Fences – General 1 metre max	N/A	Pool fencing will be included in accordance with council requirements
D11.14	Construction, retaining walls, terracing and undercroft areas	Yes	No retaining walls are proposed
D11.15	Scenic Protection Category One Areas	N/A	The site is not located in a scenic protection area.

9. Section 4.15(1)(b) THE LIKELY IMPACTS OF THE PROPOSAL

As demonstrated throughout this statement, post construction, the development will result in no ongoing impact beyond that typical of that for a small pool and studio. The other principle impacts to be considered are impacts as arising from construction activities.

Construction works will be undertaken in accordance with prescribed times. It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Approved silencing devices will be provided and maintained on all power operated machinery, where required.

Construction works will be carried out in accordance with the Building Code of Australia / National Construction Code.

Excavation will be undertaken in accordance with standard Council conditions of consent and within nominated working hours. Construction noise associated with the excavation is intended to comply with the Protection of Environment Operations Act 1997 and the NSW EPA Environmental Noise Manual for the control of construction noise. Precautions will be taken during site works to minimise vibration including the avoidance of sudden stop - start movements.

Any proposed excavation will not result in any pollution or siltation of any waterway or pose a threat to ecological communities or their habitats. Appropriate sediment and erosion control measures will be adopted during site works and the existing Stormwater system will be protected during works

The above analysis demonstrates that the proposals will have no adverse Environmental Impact and therefore satisfies this section of the Act.

10. Section 4.15(1)(c) THE SUITABILITY OF THE SITE

The subject site is suitable for the proposal as:

- The site is current occupied by a dwelling and the works are concerned with improving the amenity on site for the occupants and minimize impacts to adjoining dwellings. As such there is no adverse alteration to the existing privacy and solar amenity impacts from the dwelling to surrounding properties.
- The design has had regard to its impact to the local conservation characteristics and impacts to adjoining properties.
- Adequate water, stormwater drainage and sewage facilities are available on the site to service the proposed development.
- There are no precipitate constraints posed by adjacent land uses.
- Appropriate erosion and sediment / waste management control measures will be employed during works.
- The development will not result in the ongoing environmental degradation of the local area.

The application therefore satisfies this section of the Act.

11. Section 4.15(1)(e) THE PUBLIC INTEREST - CONCLUSION

It is proposed to construct a new pool and studio on the site. The proposed development has been designed to relate well to its site, adjoining sites, in terms of appearance, envelope and setbacks.

The application for dwelling additions has been assessed against relevant provisions of the Environmental Planning and Assessment Act, Council's Local Environmental Plan and Development Control Plans.

The proposal complies with all relevant LEP and DCP objectives, or where non compliances are identified the development is, in our opinion, acceptable in the circumstances as per the reasons set out in this statement and would have no adverse impact to any adjoining properties and the locality.

The application therefore satisfies this section of the Act.