

STATEMENT OF ENVIRONMENTAL EFFECTS

to accompany the Development Application

133 Pacific Road
Palm Beach
APRIL 2022



FOR : M r I A N F E R R I E R

INTRODUCTION

This Statement of Environmental Effects accompanies drawings prepared by Victoria Aleporos Architect. (Reg. no 8034)

Drawings No. SK-01 – SK-05, dated April 2022 to detail the proposed alterations and additions to an existing dwelling at 133 Pacific Road, Palm Beach.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed.

PROPERTY DESCRIPTION

The subject site is located at 133 Pacific Road, Palm Beach (Lot 2D Deposited Plan 13780).

It is zoned E4 Environmental Living under the Pittwater Local Environmental Plan 2014. The site is noted on Council's Geotechnical Hazard Map (W Hazard H1). A Geotechnical report has not been prepared as the work proposed is minor in nature. There are no other hazards affecting this site.

SITE DESCRIPTION

The site (991.6 sqm) is located on the eastern side of Pacific Road and falls steeply towards the eastern boundary.

The site is irregular in shape and has a frontage of 14.325m to Pacific Road and northern and southern side boundaries measuring 59.10m and 58.335m respectively. The rear boundary measures 19.81m.

Existing vehicular access to the garage is provided via a concrete driveway from Pacific Road.

Stormwater from the roof areas is directed to the existing stormwater system which disperses stormwater in the rear yard area.

THE SURROUNDING ENVIRONMENT

The surrounding area is characterised by irregular shaped allotments. Homes are generally single and 2 storeys within beautifully landscaped settings. The sloping terrain allows for the majority of the homes to enjoy significant ocean views.

PROPOSED DEVELOPMENT

The proposal seeks approval for the following:

- A new swimming pool on the lower ground level adjacent to an existing deck located under the main house

- A new roof, ceiling and bathroom in the existing sandstone garage. New glazed doors in the existing garage door opening
- A new level carstand to house 1 car and a bin enclosure. Steps as required from this area and a retaining wall as directed by a structural engineer
- Minor excavation of the laundry room located under the house to allow for liveable ceiling height

Site calculations are as follows:

Site Area	991.6m ²
Existing landscape area	800 m ² or 80%
Proposed landscape area	780.6 m ² or 78%

ZONING AND DEVELOPMENT CONTROLS

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

The proposal has been designed to respect the water, thermal and energy standards required by BASIX (certificate included as part of the DA).

6.2 Pittwater Local Environmental Plan 2014

Clause 2.2 Zone objectives and Land Use Table

The site is zoned E4 Environmental Living under the provisions of the PLEP 2014. The proposed alterations and additions to an existing dwelling are considered to be permissible with the consent of Council. The development of and use of the land for residential purposes within the E4 Environmental Living Zone is consistent with the zone objectives, which are noted as:

- *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 considered that the proposed alterations and additions will be consistent with the desired future character of the surrounding locality for the following reasons:

- *The proposal will be consistent with and complement the existing detached style housing within the locality.*
- *The proposed development respects the scale and form of other new development in the vicinity and therefore complements the locality.*

- *The setbacks are compatible with the existing surrounding development.*
- *The proposal does not have any adverse impact on long distance views.*

Clause 4.3 – Height of Buildings

The maximum building height in this portion of Palm Beach is 8.5m.

There are no changes to the height of the existing building. The garage will have an increased roof height but is compliant with the maximum height control.

Clause 5.9 - Preservation of trees or vegetation

The proposal will not necessitate the removal of any significant existing trees. Some small shrubs will be removed to accommodate the pool.

Clause 5.10 – Heritage Conservation

The site has not been identified as a Heritage Item, nor is it with a Heritage Conservation Area.

Clause 7.1 - Acid Sulfate Soils

The site is identified as being within an area affected by Acid Sulfate soils (Class 5). Very minimal excavation of the site is required for the pool but it is not considered significant and as such, it is not anticipated that acid sulfate spoils will be disturbed.

Clause 7.2 – Earthworks

The proposal will see some very minor excavation of the site for the swimming pool. The majority of the pool structure is located above natural ground level.

Clause 7.6 – Biodiversity protection

The land is located within Council's Biodiversity mapped area.

*(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by: (a) protecting native fauna and flora, and
(b) protecting the ecological processes necessary for their continued existence, and
(c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

The development will not see any substantial disturbance to the existing flora, with no significant trees or natural vegetation to be removed.

Clause 7.7 – Geotechnical Hazards

A Geotechnical has not been prepared for minor work such as those proposed in this development application. During Construction the builder will take into consideration the Acceptable Risk Management Criteria of Council's Geotechnical Risk Policy.

Clause 7.10 – Essential Services

The proposal will see the existing essential services to the site being maintained. There are no other clauses of the PLEP 2014 that are considered to be relevant to the proposed development.

6.3 Pittwater Development Control Plan

Council's Pittwater DCP and Section D12 Palm Beach Locality Statement provide a range of outcomes and controls which form the primary criteria control for development within the subject locality.

6.3.1 Section A Introduction

A4.12 Palm Beach Locality Desired Character

The proposed alterations and additions will be consistent with the desired character of the locality.

The new swimming pool and small rear deck extension is not visible from Pacific Road. The available views will be enjoyed by all the surrounding properties.

The development will continue to be compatible with the low-density scale of the area. The small roof extension over the existing garage will not be visually prominent.

The proposal does not require the removal of any significant trees or planting. The works will be finished in a range of textures and finishes which will complement the existing surrounding development and the pool fits in with the landscaped setting of the site and the locality.

6.3.2 Section B General Controls

The General Controls applicable to the proposed additions and alterations and associated structures are summarised as follows:

B3.1 Landslip Hazard

The controls seek to achieve the outcomes:

- Protection of people.
- Protection of the natural environment.
- Protection of private and public infrastructure and assets.

A geotechnical report has not been provided as the proposal is minor in nature. All work will take into consideration the Acceptable Risk Management Criteria of Council's Geotechnical Risk Policy. Works will be constructed in accordance with the recommendations contained within Council's policies.

B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community

- *The controls seek to achieve the outcomes:*
- *Conservation of intact Pittwater Spotted Gum Forest EEC.*

- *Regeneration and/or restoration of fragmented and / or degraded Pittwater Spotted Gum Forest EEC.*
- *Reinstatement of Pittwater Spotted Gum Forest to link remnants.*
- *Long-term viability of locally native flora and fauna and their habitats through conservation, enhancement and/or creation of habitats and wildlife corridors.*

The proposal will not have any direct impact on any substantial tree cover and landscaped area.

B5.8 Stormwater Management - Water Quality – Low Density Residential

The controls seek to achieve the outcomes:

- *No increase in pollutants discharged with stormwater into the environment.*
- *Development is compatible with Water Sensitive Urban Design principles.*

There are no changes to stormwater runoff hence there will not be any significant issue in terms of water quality. All stormwater is to be managed using the sites current stormwater management.

B8.1 Construction & demolition – excavation and landfill

The controls seek to achieve the outcomes:

- *Site disturbance is minimised.*
- *Excavation, landfill and construction not to have an adverse impact.*
- *Excavation and landfill operations not to cause damage on the development or adjoining property.*

The proposed works will not require any significant excavation of the site. The pool area will be designed and supervised by an appropriately qualified Structural Engineer and soil and sedimentation measures will be implemented during the construction phase.

B8.2 Construction and Demolition – Erosion and Sediment Management

The controls seek to achieve the outcomes:

- *Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites.*
- *Reduction of waste throughout all phases of development.*
- *Public safety is ensured.*
- *Protection of the public domain.*

Appropriate erosion and sediment barriers will be installed prior to the commencement of any works on site.

B8.3 Construction and Demolition – Waste Minimisation

The controls seek to achieve the outcomes:

- *Reduction management of demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.*

Any demolition material will be removed and recycled off site where possible or taken to an approved waste disposal facility.

6.3.3 Section C Design Criteria for Residential Development

The Design Criteria applicable to the proposed additions and alterations to the existing dwelling are summarised as:

C1.1 Landscaping

The controls seek to achieve the outcomes:

- *A built form softened and complemented by landscaping.*
- *Landscaping reflects the scale and form of development.*
- *Retention of canopy trees by encouraging the use of pier and beam footings.*
- *Development results in retention of existing native vegetation.*
- *Landscaping results in the long-term retention of Pittwater's locally native tree canopy. Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species*
- *Landscaping enhances habitat and amenity value.*
- *Landscaping results in reduced risk of landslip.*
- *Landscaping results in low watering requirement.*

The proposed alterations and additions do not require the removal of any significant trees and will retain the existing landscaping and trees within the front and rear yards.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

- *On-going safety and security of the Pittwater community.*
- *Opportunities for vandalism are minimised.*
- *Inform applicant's of Council's requirements for crime and safety management for new development*
- *Improve community awareness in relation to Crime Prevention through Environmental Design (CPTED), its principle strategies and legislative requirements*
- *Identify crime and safety priority areas in Pittwater LGA*
- *Improve community safety and reduce the fear of crime in the Pittwater LGA*
- *Develop and sustain partnerships with key stakeholders in the local area who are involved in community safety.*

There are no changes to the dwellings' entry hence safety and security issues remain the same.

C1.3 View Sharing

The controls seek to achieve the outcomes:

- *A reasonable sharing of views from public places and living areas.*
- *Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.*
- *Canopy trees take priority over views*

The existing home site and adjacent dwellings enjoy an expansive view to the northeast. The proposed pool and extended deck are located at the rear of the property and connect to the existing deck. Views across the rear of the site for the adjoining neighbour at No 131 Pacific Road will not be affected due to the setback of these properties.

C1.4 Solar Access

The controls seek to achieve the outcomes:

- *Residential development is sited and designed to maximise solar access during mid-winter.*
- *A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.*
- *Reduce usage and/dependence for artificial lighting.*

Given that the swimming pool and deck will be level with the existing deck situated under the main house, the proposal will not result results in any increase in overshadowing to the neighbours. The subject and neighbouring dwellings will continue to enjoy excellent solar access to their northeast facing living areas and private open space areas during the day. The small increase in roof height above the garage does not have any overshadowing effects.

C1.5 Visual Privacy

The controls seek to achieve the outcomes:

- *Habitable rooms and outdoor living areas of dwellings shall achieve and maintain visual privacy through good design.*
- *A sense of territory and safety is provided for residents.*

The proposed pool and associated deck area is set back from adjacent properties and will enjoy visual privacy.

C1.6 Acoustic Privacy

The controls seek to achieve the outcomes:

- *Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.*
- *Noise is not to be offensive as defined by the Protection of the Environment Operations Act 1997, including noise from plant, equipment and communal or private open space areas*

Given the residential nature of the works, there will not be any significant change to the existing site conditions.

C1.7 Private Open Space

The controls seek to achieve the outcomes:

- *Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.*
- *Private open space is integrated with, and directly accessible from, the living areas of dwellings.*
- *Private open space receives sufficient solar access and privacy*

The proposed works aim to maintain the existing private open space on site, with the addition of the swimming pool and rear deck to provide more functional open space for the enjoyment of the occupants of the site.

C1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

- *Waste and recycling facilities are accessible and convenient and integrate with the development.*
- *Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.*

The proposed new car stand will house an enclosure for the on-site storage of waste and recyclables.

6.3.4 Section D Locality Specific Development Controls

The Palm Beach Locality Statement contains a number of outcomes for development. The proposal has been assessed in regard to the Locality Statement and is summarised in the following table.

In support of the proposal, it is considered that this proposal is well designed, comprehensive and consistent with the community's vision for development in Pittwater in that it is:

- *Proposing a form of development which is compatible with the existing residential character of the area by maintaining an appropriate development scale which is compatible with the vicinity.*
- *The stormwater runoff from the development will be directed to the existing system. There will not be any adverse siltation or water pollution impacts on the general drainage system of the area or to local waterways.*
- *The development will not place additional demands on local infrastructure or on the sewage disposal system for the site.*

A summary of the DCP controls for the D12 Palm Beach Locality is provided below:

D12.1 Character As Viewed From A Public Place

The control seeks to achieve the outcomes:

- *To achieve the desired future character of the Locality.*
- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment.*
- *To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.*
- *The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation.*
- *High quality buildings designed and built for the natural context and any natural hazards.*
- *Buildings do not dominate the streetscape and are at 'human scale'.*
- *To preserve and enhance district and local views which reinforce and protect the Pittwater's natural context.*
- *To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures, being a secondary component.*
- *To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land.*

The proposed works are minor in nature and maintain the buildings compatibility with the locality.

The current garage cannot be used as a lock up garage for a vehicle, as access is near impossible due to the slope of the driveway and the height to the garage door. Converting this space to a habitable space is a clever way of improving the usability of the home without altering the size, scale and proportion of this quaint cottage. The scale and density of the streetscape is thus maintained.

The proposed pool area is located at the rear of the property. Its exact location was designed so that existing vegetation is maintained and the large deck which is situated below the house can remain untouched.

Views over and to the side of the dwelling will be retained for the neighbouring dwellings which are located uphill of the proposal.

D12.3 Building colours and materials

The controls seek to achieve the outcomes:

- *Achieve the desired future character of the Locality.*
- *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.*

There are minor additions proposed in this DA with very few new finishes.

The proposed extension to the roof over the garage uses recessive tones and finishes to match the existing dwelling and the surrounding development. The pool and deck will be constructed with finishes which are complimentary to the home and respectful to the existing vegetation on the site.

D12.5 Front Building Line

The controls seek to achieve the outcomes:

- *Achieve the desired future character of the Locality.*
- *Equitable preservation of views and vistas to and/or from public/private places. (S)*
- *The amenity of residential development adjoining a main road is maintained. (S)*
- *Vegetation is retained and enhanced to visually reduce the built form. (En)*
- *Vehicle manoeuvring in a forward direction is facilitated. (S)*
- *To preserve and enhance the rural and bushland character of the locality. (En, S)*
- *To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.*
- *To encourage attractive street frontages and improve pedestrian amenity.*
- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.*

There are no changes to front or side setbacks.

D12.6 Side and rear building line

The controls seek to achieve the outcomes:

- *To achieve the desired future character of the Locality.*
- *The bulk and scale of the built form is minimised.*
- *Equitable preservation of views and vistas to and/or from public/private places.*
- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*
- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.*
- *Substantial landscaping, a mature tree canopy and an attractive streetscape.*
- *Flexibility in the siting of buildings and access.*
- *Vegetation is retained and enhanced to visually reduce the built form.*
- *To ensure a landscaped buffer between commercial and residential zones is achieved.*

There are no changes to front or side setbacks.

D12.8 Building Envelope

The controls seek to achieve the outcomes:

- *To achieve the desired future character of the Locality.*
- *To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.*
- *To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.*
- *The bulk and scale of the built form is minimised.*
- *Equitable preservation of views and vistas to and/or from public/private places.*
- *To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to neighbouring properties.*
- *Vegetation is retained and enhanced to visually reduce the built form.*

There are no changes to the building envelope other than the minor increase to the garage roof. The building will continue to maintain appropriate levels of solar access for both the neighbouring and subject dwellings.

D12.10 Landscaped Area – Environmentally Sensitive

The controls seek to achieve the outcomes:

- *Achieve the desired future character of the Locality.*
- *The bulk and scale of the built form is minimised.*
- *A reasonable level of amenity and solar access is provided and maintained.*
- *Vegetation is retained and enhanced to visually reduce the built form.*
- *Conservation of natural vegetation and biodiversity.*
- *Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.*
- *To preserve and enhance the rural and bushland character of the area.*
- *Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.*

The required controls to achieve the outcomes are to ensure that residential development maintains a minimum of 60% of the site as landscaped area. The site will retain up to 78% of the site as landscaped and therefore complies with this clause.

D12.13 Construction, retaining walls, terracing and undercroft areas

The controls seek to achieve the outcomes:

- *To achieve the desired future character of the Locality.*
- *To protect and minimise disturbance to natural landforms.*
- *To encourage building design to respond sensitively to natural topography.*

The proposal responds to the topography of the site.

Very minor excavation is required for the swimming pool. The location and design of the pool allows for minimum disturbance to the natural fall of the land.

D12.14 Scenic Protection Category One Areas

The controls seek to achieve the outcomes:

- *To achieve the desired future character of the Locality.*
- *To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront.*
- *Maintenance and enhancement of the tree canopy.*
- *Colours and materials recede into a well vegetated natural environment.*
- *To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component*
- *To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.*
- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*
- *To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.*
- *Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.*

The proposed works are considered to be minor in nature. They are hardly visible from adjoining public areas. The proposed pool at the ground floor level of the dwelling is not prominently visible from the public domain and the finishes that have been selected for their natural weathering will further reduce impact. Landscaping features in front of the pool will also be used to conceal the pool mass.

Conclusion

The principal objective of this development is to provide for a swimming pool at the rear of the property which connects to an existing deck located under the house. The garage will be converted to a habitable room as it is currently impossible to use for car parking.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls and reinforce the residential character of the area. As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.



Photo showing the existing garage and southern boundary



Photo showing the existing front of the cottage



Photo showing the existing steep driveway to the garage



Photo showing the proposed pool location



Photo showing the swimming pool of 131 Pacific Rd



Photo showing the existing landscaping which will be maintained



Photo showing the existing deck below the house