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## Northern Beaches Council Development Application

### **Statement of Environmental Effects**

External works to existing residence at:

**26 Bynya Road, Palm Beach NSW 2108**

**20 August 2019**

#### **The existing property**

The property is located on the crest of the spine running down the Pittwater peninsula, facing Pittwater. The site slopes steeply away from the street, facing west. Neighbours adjoin to the north and south, the western neighbour is at a lower height and separated by a narrow strip of bushland. The site is only usable towards the street, the rear of the site is steeply sloping and very difficult to access.

The existing house is a concrete structure with a flat landscaped roof. The rear of the house is located on the edge of a steep embankment on the site.

#### **Proposed external works**

It is proposed to add an external access walkway and stair to the rear of the property to be able to access the rear of the house, the water tank and rear garden for maintenance purposes.

No work is proposed to the existing house.

#### **Pre Da Council meeting**

A Pre-Da meeting was held on the 30<sup>th</sup> July 2019 with planners Claire Ryan and Megan Surtees, including David McCrae of MMJ Architects and the owners, Amanda and William Palmer. A written report was provided, including documentation required for a Development Application.

#### Site Information:

Lot / DP Lot 134, DP 14961  
Site area 842.2 sqm

#### **PITTWATER LOCAL ENVIRONMENTAL PLAN 2014**

<u>Control</u>	<u>Reference</u>	<u>Comply</u>
Zoning	E4 Environmental Living	E4
Height of buildings	Control: 1 green 8.5m Proposed: 2.3 – 3.3 metres.	COMPLIES
Geotechnical Hazard	Geotechnical Hazard H1	H1
Coastal Risk Planning	Not applicable	N/A
Biodiversity Map	Yes, Biodiversity applies	Applies
Acid Sulphate Soils	Applies, Class 5	Class 5
Bushfire Prone Land	Bushfire Prone Land Vegetation Category 1 (west);	Applies
Map	Bushfire Prone Land: Buffer -100m & 30m (east)	

## **PITTWATER 21 DEVELOPMENT CONTROL PLAN**

### **SECTION A**

The proposed works integrate with the landform and minimise site disturbance.

### **SECTION B: GENERAL CONTROLS**

#### **B3.1 Landslip Hazard**

The site is located within a Geotechnical Hazard area.

A Geo-technical Report is provided with the Development Application, as recommended in the Pre-Da meeting report.

Refer to report by Martens Consulting Engineers.

#### **B3.2 Bushfire Hazard**

The site is located within Bushfire Prone land.

A Bushfire Report has been provided in the Application, as recommended in the Pre Da report.

Refer to report by 'Bushfire Planning and Design' dated Monday 3 June, ref. no. 2530.

### **SECTION C: DEVELOPMENT TYPE CONTROLS**

#### **C1.1 Landscaping**

The existing terrain at the rear of the site where the work is proposed is steep and rocky. The minor works may require removal of some trees at the rear of the site, however these trees are unprotected. No protected trees will be affected.

Refer to the Arboricultural Assessment report by Consulting Arborist Margot Blues, included in the application.

A Landscaping Plan is not required for these works as advised by Planner, Megan Surtees.

#### **C1.2 Safety and Security**

Low level external lighting is proposed for safety purposes. It is proposed to provide step lighting to illuminate the steps, in a downward direction.

#### **C1.3 View Sharing**

Views from surrounding and nearby properties will not be affected. The steps and walkway are some metres lower than the lowest level of both neighbouring properties. Refer also to view lines on the Site Analysis Plan.

#### **C1.4 Solar Access**

The proposal will not affect solar access to the existing residence or outdoor living areas on the subject site, as it is located lower than the lowest level of the subject and adjoining properties.

#### **C1.5 Visual Privacy**

The walkway and steps proposed are provided for occasional use for maintenance purposes only. They are not intended as outdoor living areas, this is evident by the fact they are only wide enough for pedestrian passageway, and do not allow not seating etc. Hence privacy screens would not be required.

#### **C1.6 Acoustic Privacy**

The proposed walkway and steps are merely allowing safe access to the outside of the property and are required to be elevated due to the steep slope of the site. No moving walkways are proposed.

#### **C1.19 Incline Passenger Lifts and Stairways**

- i) The proposed stairway does not require excavation, or the removal of natural rock. It is designed to connect an existing paved area adjacent to the house, with an existing concrete slab of the existing rainwater tank. Some small trees and shrubs may need to be removed, however none are protected – refer to Arborist Report.
- ii) The stair is designed to follow the natural contours of the land as closely as possible and practical.
- iii) No moving walkway is proposed.

- iv) The colours will blend with the surrounding vegetation;
- v) Control: "be set back two (2) metres from the side boundary to the outer face of the carriage. ".  
The setback control applies to passenger lifts in motion, not a fixed structure like a stair. The function of the walkway and steps is to provide safe access where access would otherwise be available on the ground level and would not require a setback.
- vi) The works are wholly located within the subject property.
- vii) The proposed walkway and side steps adjacent to the south boundary are located approximately 2 metres below the floor level of the neighbour's pool and paved area.  
Proposed walk way RL = 72.980m;  
Neighbour Paved area RL = 75.24 m;  
Neighbour adjacent window sill RL = 75.25m.  
Hence there is no direct view to the window o the neighbouring property. Hence a privacy screen is not required.

#### **SECTION D: LOCALITY SPECIFIC DEVELOPMENT CONTROLS**

##### **D12.3 Building Colours and Materials**

Palm Beach Locality:

External colours and materials will comply with council's chart in this Clause.

##### **D12.6 Side and Rear Building Line**

The council Pre-DA report referred to a nil side boundary setback from the proposed walkway along the southern boundary. Council requested a Boundary Survey be provided with the Development Application to ensure the works remain within the subject site.

Please refer to the updated Level and Detail Survey by CMS Surveyors Drawing: 8915Ddetail, Issue 2, dated 07/08/2019, included in the Application.

The walkway is considered to be access pathway to the side of the house, the same as any access pathway at the side of a house at ground level. The fact it is a raised structure means it provides more safety for the users, due to the steeply sloping nature of the site. Therefore it can be considered on a merit basis.



**Photographic record:**

View of existing rear of house and rainwater tank:



View of existing rainwater tank and steep site:



Steep site:



Start of walkway at house:

