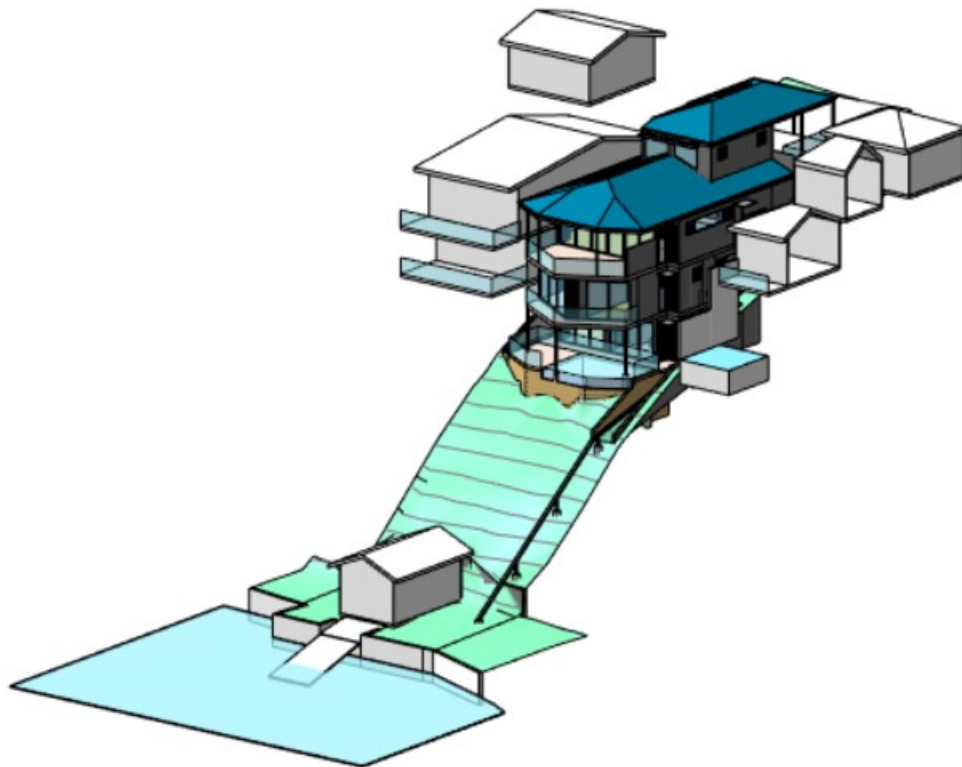


STATEMENT OF ENVIRONMENTAL EFFECTS

190 McCARRS CREEK RD CHURCH POINT

Lot 7 in DP 20097

Updated 23.04.21



PROPOSED DEVELOPMENT

This Development Application seeks approval for the demolition of an existing dwelling, the construction of a new dwelling, pool and incline lift.

There is an existing car parking structure with an approved studio under, and this will be retained and incorporated into the new design.

The proposal was subjected to a pre-lodgment meeting which sought variations to the side setbacks, front setback , building envelope controls and landscaping ratio due to the narrowness, extreme slope and small size of the site.

REFERENCE DRAWINGS AND DOCUMENTS

Architectural drawings 2012 – 00 to 14 by Peter Downes Designs including shadow diagrams

Topographical Survey by Hammond Smealie

Landscaping Plan by Aspect Designs

BASIX Certificate by Victor Ling and Assoc

Stormwater Management Plan by Taylor Consultants

Geotech report by Ascent Geotechnical Consulting

Pre-lodgement meeting minutes

PROPERTY DESCRIPTION

Title Description

Lot 7 in DP 20097

Street Address

190 McCarrs Creek rd, Church Point

Dimensions and Description

The subject property is roughly rectangular in shape with the following boundary dimensions.

North	35.815 m
East	12.205 m
South	35.355 m
West	HWM
Total Site Area	436.3 m ²

Access

Access to the site is from McCarrs Creek rd.

Slope

The site falls approx. 18 m from E to W with little cross fall

Easements

The site is not burdened with any easements

Covenants

There are no covenants affecting this property.

ZONING AND CONTROLS

Residential E4 – Environmental Living

Pittwater 21 Development Control Plan

Pittwater LEP 2014

SITE ANALYSIS

Refer to site plan.

SITE DATA

Total site area	= 436.3 m ²
Total floor area	= 366.9 m ²
Soft landscaped area	= 223.7 m ² = 51.3 %
Recreational landscaped area	= 15.6 m ² = 3.6 %
Total landscaped area	= 239.3 m ² = 54.9 %

Following the pre-lodgement meeting, the Council granted a variation to the landscaping ratio of 10% maximum (refer to the email on the final page of this statement).

HEIGHT CONTROLS

The majority of the proposed dwelling complies with Council's height limit of 8.5 m. There are some parts that exceed the 8.5 m limit but comply with the Council's variation allowance of 10.0 m.

From the LEP:

(2D) Despite subclause (2), development on land that has a maximum building height of 8.5 metres shown for that land on the [Height of Buildings Map](#) may exceed a height of 8.5 metres, but not be more than 10.0 metres if—

- (a) the consent authority is satisfied that the portion of the building above the maximum height shown for that land on the [Height of Buildings Map](#) is minor, and
- (b) the objectives of this clause are achieved, and
- (c) the building footprint is situated on a slope that is in excess of 16.7 degrees (that is, 30%), and
- (d) the buildings are sited and designed to take into account the slope of the land to minimise the need for cut and fill by designs that allow the building to step down the slope.

The writer submits that the proposed development satisfies all of these requirements, and that there will be no overshadowing, privacy, streetscape or view loss issues resulting from the variation.

BUILDING ENVELOPE CONTROL

The proposed does not comply with the building envelope control. A variation was sought and granted during the pre-lodgement meeting.

The site slopes more than 30% and therefore qualifies for consideration of a variation, and the author also proposes that the variation sought is relatively minor.

BULK AND SCALE

The proposed design is articulated in plan view and all elevations. The combined effects result in a building which admirably disguises it's bulk and scale, and is in character with the adjoining dwellings and others in the immediate vicinity.

SETBACK CONTROLS

side setbacks – the northern side at 1.0 m complies, the southern side at 2.0 m does not. This variation was supported by the Council during the pre-lodgement meeting.

front setback – the proposed development does not comply with the 10 m front setback due to site constraints. The proposed variation was supported by the Council during the pre-lodgment meeting. The proposed setback is consistent with the adjoining sites and many nearby sites.

rear (FBL) setback – complies

COASTAL MANAGEMENT

The site is within the areas covered by the Coastal Management act 2016 and the State Environmental Planning Policy Coastal Management, and is also included in the Coastal Environment and Coastal Use Management Areas of the LEP.

The writer submits that the proposed development will have no impact on the coastal processes, or public use, or access to a beach or adjoining coastal headland.

ACID SULPHATE SOILS

Clause 6.1 Acid Sulphate Soils of WLEP 2011 applies to this site.

6(a)(b) states :

(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:

- (a) the works involve the disturbance of less than 1 tonne of soil, and
- (b) the works are not likely to lower the water table.

This project is likely to involve the disturbance of less than 1 tonne of soil at the lower critical part of the site, and the Geotech report states “Due to the position of the block relative to the slope and the underlying geology, no significant standing water table is expected to influence the site.”

The writer submits that the proposed development complies with this policy.

ESTUARINE RISK MANAGEMENT

The site is included in Council's Estuarine Hazard Mapping, but all proposed new works are well above the Estuarine Planning Levels.

BIODIVERSITY

The proposed development is substantially within the footprint of the existing dwelling, however three trees are proposed for removal – refer to the arborist report.

DRAINAGE

Refer to Stormwater Management plan.

CAR PARKING AND ACCESS

Car parking for 3 cars is provided in the proposed carport and garage.

LANDSCAPING

The site will be landscaped in accordance with Council's guidelines – refer to the Landscaping Plan.

PRIVACY

There are potential privacy issues overlooking the adjoining balconies etc. This is typical on sloping sites where every dwelling has balconies facing the view, and while privacy screen could be added, they have the

potential to block the desired views. However a privacy wall has been added to the southern edge of the level 3 balcony to avoid overlooking the adjoining pool.

There are also windows facing at 90 deg to the side boundaries which could create privacy issues (W10, 11, 18 and 20). The lower portion of these windows has frosted glazing up to 1600 above floor level . All other side windows are too low to create privacy screen, and/or have a sill height of 1600.

OVERSHADOWING

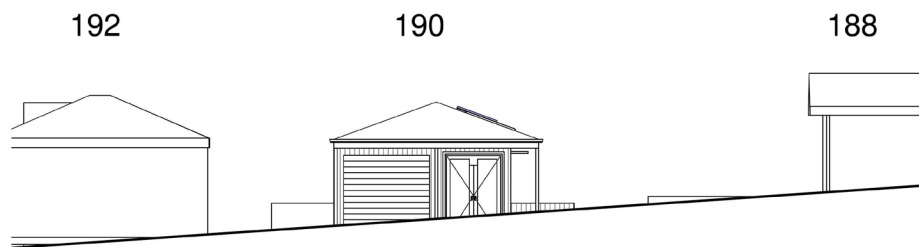
The proposed development fully complies with Council's solar access policy.

ENERGY AND WATER EFFICIENCY

Refer to the BASIX certificate.

STREETSCAPE

The proposed development will blend admirably with the adjoining and nearby dwellings which typically consist of a garage and/or foyer at street level, and the remainder at a lower level due to the steep topography.



SITE MANAGEMENT

An approved sedimentation barrier will be installed and maintained throughout the construction period.

VIEW SHARING

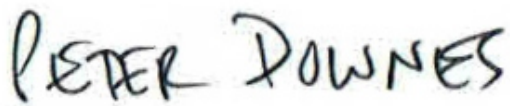
The proposed development will not result in any view loss issues. The angled western elevation will ensure that diagonal views from the adjoining dwellings are preserved.

GEOTECH

Refer to the Geotech report.

CONCLUSION

The proposed development complies with the intent of all Council's policies, enhances the natural and built environments and should receive favourable consideration during the approval process.

A handwritten signature in black ink that reads "PETER DOWNES". The letters are slightly slanted and connected, with a casual, professional appearance.

Peter Downes – Chartered Building Designer
Dip of Arch Tech – Distinction
Dip of Building Design – Distinction

EMAIL FROM COUNCIL RE LANDSCAPING AREA

Hi Peter

I refer to your telephone call earlier today in which you seek clarification on the provision of landscaped open space for the proposed development at No. 190 McCarrs Creek Road, Church Point (which was the subject of a pre-lodgement meeting held on 15 December 2020 (PLM2020/0289)).

As you will be aware, the requirement under Clause D4.10 of the Pittwater 21 development control Plan is to provide 60% of the site area as landscaped area and that, provided the outcomes of the control are achieved, the following may be permitted on the landscaped proportion of the site:

- impervious areas less than 1 metre in width (e.g. pathways and the like);
- for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).

The Outcomes of the Control state:

- 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.

Subject to satisfying the above Outcomes, variations to the numerical control may therefore be considered but not beyond 10% of the requirement.

Regards

Tony Collier
Principal Planner