

STATEMENT OF ENVIRONMENTAL EFFECTS

Section 1 – Development Application Submission Details

Property:	18 – 20 Sturdee Lane, Lovett Bay, NSW 2105
Legal description:	Lot 1 in DP 1132852
Site area:	2,358m ² .
Type of development:	Local development
Development description:	Demolition of an existing detached studio building and replacement with pavilions comprising a guest bedroom suite and games room.
Construction budget:	\$503,620
Applicant:	James de Soyres & Associates Pty Ltd (Telephone - 02 9979 1823 / email: contact@jdesa.com.au)
Owner:	Fiona Robin Loader
Our reference:	1708
Date of submission:	17 January 2020

Documents comprising the development application supplied on a USB stick:

1. Northern Beaches Council's development application form;
2. A statement of environmental effects, this document, prepared by James de Soyres & Associates Pty Ltd;
3. Northern Beaches Council's cost-summary report form prepared by James de Soyres and Associates and dated 14/01/20
4. A BASIX certificate no A320793 prepared by James de Soyres & Associates Pty Ltd and issued on 16 January 2020.
5. A site survey prepared by SDG Land Development Solutions ref: 7430 and dated 10/11/2017;
6. An onsite wastewater assessment report prepared by Martens & Associates Pty Ltd ref: P1806643JC01V01 and dated 9 December 2019;
7. An arboricultural impact assessment prepared by Bluegum Tree Care & Consultancy and dated December 2019;
8. A bushfire risk assessment prepared by Bushfire Planning & Design ref: 2695 and dated 26/11/2019;
9. A Flora and Fauna Assessment prepared by Ecoplaning and dated 17 January 2020
10. A geotechnical risk assessment prepared by Crozier Geotechnical Consultants ref: 2018-116 and dated 3 December 2019.
11. A landscape design prepared by Trish Dobson, Landscape Architect ref:1914/DA-L01 and dated 26.11.19.

12. A waste management plan prepared by James de Soyres and Associates and dated 14/01/20;
13. The following architectural drawings prepared by James de Soyres & Associates Pty Ltd and dated 25/11/2019.

Drawing Number	Drawing Title
1708 DA-01 A	Site and Site Analysis Plan
1708 DA-02 A	Site Plan - North
1708 DA-03 A	Landscaped Areas
1708 DA-04 A	Shadow Diagrams
1708 DA-05 A	Tree Protection Plan
1708 DA-06 A	Water Management Plan
1708 DA-10 A	Existing House Ground Floor Plan
1708 DA-11 A	Existing House First Floor Plan
1708 DA-12 A	Pavilions Undercroft Plan
1708 DA-13 A	Guest Bedroom and Games Room Floor Plan
1708 DA-14 A	Roof Plan
1708 DA-20 A	North Elevation from Pittwater
1708 DA-21 A	North and South Elevations
1708 DA-22 A	West Elevation
1708 DA-23 A	East Elevation
1708 DA-24 A	Photomontage and Exterior Finishes Schedule
1708 DA-30 A	Section A-A
1708 DA-31 A	Section B-B
1708 DA-32 A	Section C-C

14. Notification plans drawing numbers 1708 N-01, N-02 and N-03 – A4 copies of the site plan and elevations showing the development proposal in colour.

Section 2 – Property Description

The site is located on the southern side of Lovett Bay, stretching from the waterfront in the North to Sturdee Lane at the southern extremity. The broader northern section of the site slopes fairly consistently up from the water's edge for 80m to approx. AHD +30m before levelling out for the narrower arm abutting the Sturdee Lane circus.

On the lowest section of the site there is an existing two-storey dwelling built to and slightly overhanging the foreshore boundary. The house is surrounded by timber decks which link it a jetty and a detached cabana structure. A stone flagged path and steps lead up to a small self-contained cabin behind the main structure. Adjacent to this structure is the current wastewater treatment system tank which is connected to a network of irrigation lines to the south and west of the tank. From the waterfront up to about AHD + 17m the grounds are a mix of sloping lawns and introduced landscape planting with scattered, mainly local trees.

A rough path with steps leads up from the cabin to the middle section of the property which is dominated by a field of boulders and scattered trees and grasses between AHD + 19m and AHD

+ 29m. The rainwater storage tanks and associated plumbing connections are located at the top of this section.

The uppermost section of the site features fewer exposed boulders and has the remnants of a track connecting the main part of the site to Sturdee Lane.

To the East of the site lies No.16 Sturdee lane which consists of a 2-storey timber dwelling located at approximately the same elevation as the timber cabin to be demolished and separated from it by a grove of trees. Further upslope at the mid-level of the site is a detached timber cabin with decks with the surrounding land similarly forested to the subject site. This house has waterfront access with a jetty, a boatshed and a cargo lift adjacent to the boundary.

To the West on the foreshore lies No.22 Sturdee Lane which is also a two-storey timber dwelling with views to Lovett Bay. Behind it lies a timber deck leading to an axe-handle connection to the street and No.24 Sturdee Lane located close to the street boundary. Between these two houses the land is maintained as forest.

Section 3 – Development Proposal

The development proposal comprises the following components:

- 1 Demolish the one bed / one bathroom cabin at the rear of the house.
- 2 Remove three existing trees from the area between the existing dwelling and the proposed games room pavilion
- 3 Construct a new detached structure consisting of two pavilions joined by a mesh-screened linkway
- 4 The eastern pavilion comprises a games room with associated WC and a screened deck
- 5 The western pavilion comprises a bedroom, bathroom and deck
- 6 Replace the trees removed and install additional screen planting.

An initial proposal to undertake alterations and additions to the dwelling and replace the existing cabin with a two bedroom pavilion and games room was the subject of a pre-lodgement meeting on 31 May 2018. Following this meeting the proposal for the detached pavilions has been reduced in size and the proposed works to the existing dwelling and upslope of the cabins have been deleted.

A development application DA 2019/0671 for the replacement of the existing on-site wastewater system was approved on 29 August 2019.

BC0195/07 was issued for the dwelling and detached timber studio on 13 November 2007.

Section 4 – Statutory Planning Framework

The property is zoned E3 – Environmental Management in the Pittwater Local Environment Plan (LEP) 2014 and it is subject to potential bushfire, landslip and tidal inundation hazards.

The property is also subject to the planning controls set out in Pittwater 21 Development Control Plan (Pittwater 21 DCP) adopted on 8 December 2003 and last amended with effect from 1 Dec 2019. The property lies within the Lower Western Foreshores and Scotland Island Locality, D8, of the Plan.

The development proposal is discussed within the context of the applicable and relevant development controls set out in LEP and Pittwater 21 DCP for the following declared works: additions and alterations to the dwelling, demolition, rainwater tanks and tree removal.

Control	Comments
LEP clause 4.3 Height of Buildings	The maximum height of the proposed dwelling will be 7.82m above existing ground level, less than the control of 8.5m above existing ground level.
LEP clause 7.1 Acid Sulfate soils	The site is designated Class 5 for Acid Sulfate soils. The proposed works do not trigger the requirements of this clause.
LEP Clause 7.2 Earthworks	The proposed excavations are minor and localised and will have no long-term effect on the site or surrounding areas. The existing retaining wall behind the cabin to be demolished is being replaced without further excavation.
LEP clause 7.6 Biodiversity Protection	<p>The proposed development is located within a portion of the site that has been previously developed and landscaped with native and exotic trees and lawns. The accompanying Flora and Fauna Assessment of the site prepared by Ecoplaning considers the potential impacts of the proposed development and concludes that</p> <p>"...the proposed development will not significantly impact threatened species, populations or ecological communities. A total of 0.226 ha (i.e. 94.17 %) of the total 0.24 ha of Spotted Gum – Grey Gum Ironbark open forest in the study area has been avoided. As such, the proposal has largely avoided impacts to Spotted Gum - Grey Ironbark open forest in the study area. Where impacts are proposed they are limited to relatively minor impacts, which constitute the removal of only three canopy trees. Appropriate mitigation measures will be implemented ... to further reduce the impacts of the proposed works. No HBTs are proposed for removal and the habitat available to fauna will largely remain unchanged, with the exception for the removal of three canopy trees"</p> <p>It is proposed to replace the three trees to be removed and enhance the planting around the proposed development within the constraints of bushfire risk management. Refer to the landscape plan prepared by Trish Dobson.</p>
LEP clause 7.7 Geotechnical Hazards	Refer to the geotechnical risk assessment prepared by Crozier Geotechnical provided in accordance with this clause.
LEP clause 7.8 Limited Development on Foreshore Area	N/A, no work is proposed in the foreshore area.

LEP clause 7.9 Essential Services	<p>The site is currently serviced with electricity and water.</p> <p>Approval for a replacement on-site sewage system was recently obtained under DA 2019/0671. This system is capable of servicing the proposed development. Refer to the on-site wastewater report prepared by Martens & Associates.</p>
B3.1 Landslip Hazard	Refer to the geotechnical risk assessment prepared by Crozier Geotechnical provided in accordance with this clause.
B3.2 Bushfire Hazard	Refer to the bushfire risk assessment prepared by Bushfire Planning & Design. The location of the development has been determined to require all new construction to be to the BAL-29 standard.
B3.7 Estuarine Hazard – Low Density Residential	<p>N/A, all works are located upslope of the foreshore area and above the AHD +5m contour.</p> <p>In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL 2.60m AHD would apply at the subject site. The proposed development is far above the applicable EPL.</p>
B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community	<p>The area of the proposed development has been identified as Spotted Gum – Grey Ironbark open forest by Ecoplaning in their flora and fauna assessment.</p> <p>The proposed development will have minimal adverse impact on the Pittwater Spotted Gum Endangered Ecological Community. The works are located in previously disturbed areas of the site where lawns, paths and the existing cabin have been established. This area is defined as</p> <p>The proposed development will not interrupt the links between remnants Pittwater Spotted Gum Endangered Ecological Community and will retain the habitat and wildlife corridors.</p> <p>There will be no significant onsite loss of canopy cover or a net loss in native canopy trees. Two blueberry ash and one spotted gum tree are to be removed and replaced with four new native canopy trees.</p> <p>Refer to the arborist's report prepared by Bluegum Tree Care & Consultancy, the Flora and Fauna Assessment of the site prepared by Ecoplaning and the Landscape Plan prepared by Trish Dobson.</p>
B4.15 Saltmarsh Endangered Ecological Community	N/A, no work is proposed below Mean High Water Mark.
B4.16 Seagrass Conservation	N/A, no work is proposed below Mean High Water Mark.

B4.19 Estuarine Habitat	N/A, no work is proposed below Mean High Water Mark.
B4.20 Protection of Estuarine Water Quality	<p>The proposed development will not have an adverse impact on water quality nor will it impact on the existing water circulation within the Pittwater Waterway.</p> <p>No work is proposed within the foreshore area.</p>
B4.22 Preservation of Trees and Bushland Vegetation	<p>There will be no significant onsite loss of canopy cover or a net loss in native canopy trees. Two blueberry ash and one spotted gum tree are to be removed and replaced with four new native canopy trees.</p> <p>Refer to the arborist's report prepared by Bluegum Tree Care & Consultancy, the Flora and Fauna Assessment of the site prepared by Ecoplanning and the Landscape Plan prepared by Trish Dobson.</p>
B5.1 Water Management Plan	<p>Drawing 1708 DA-06 A Water Management Plan shows the layout of the existing stormwater collection and disposal system and the proposed alterations to the system. Rainwater from the roofs of the new structures will be collected and pumped up to the existing rainwater tank adjacent to the street. The existing overflow of stormwater to Pittwater will be retained.</p> <p>The drawing also shows the layout of the approved wastewater treatment and dispersal system which will service the existing buildings as well as the new ones.</p>
B5.3 Greywater Reuse	Yes, refer to the on-site wastewater assessment prepared by Martens & Associates.
B5.4 Stormwater Harvesting	N/A, a system is not proposed.
B5.6 Rainwater Tanks – Water Supply	As existing. A 25,000 litres tank is located at the top of the site.
B5.8 Stormwater Management – Water Quality – Low Density Residential	All new downpipes will be fitted with first flush diverters. All rainwater collected from the roof will be filtered before flowing into the rainwater tank. No groundwater will be collected as part of this development proposal.
B5.11 Stormwater Discharge into Waterways and Coastal Areas	The existing overflow to Pittwater will be retained. Refer to drawing 1708 DA-06 A Water Management Plan.
B5.12 Stormwater Drainage Systems and Natural Water Courses	N/A, these are not present on the site.
B5.13 Development on Waterfront Land	N/A No work is proposed in the foreshore area.
B8.1 Construction and Demolition – Excavation and Landfill	Yes, work will be conducted in accordance with this control and the advice set out in the geotechnical risk assessment.

B8.2 Construction and Demolition – Erosion and Sediment Management	Yes, erosion and sedimentation prevention measures will be introduced in accordance with this control, including a sediment control fence to be constructed and maintained below the lowest level of the works; refer to architectural drawings 1708 DA-01 and 1708 DA-12.
B8.3 Construction and Demolition – Waste Minimisation	Yes, waste minimization measures will be introduced in accordance with this control. Materials will be re-used on site where possible.
B8.4 Construction and Demolition – Site Fencing and Security	Yes, appropriate fencing will be erected and maintained for the duration of the construction period.
B8.6 Construction and Demolition – Traffic Management Plan	N/A, a plan will not be required since the quantity of excavated material will not exceed 100m ³ ,
C1.1 Landscaping	<p>Yes, please refer to the landscape plan.</p> <p>The site is very well screened from the street by existing trees.</p> <p>The site is screened from the water by one large Norfolk Island Pine – T111; two Cypress Pines, T92 and T110; one spotted gum – T112 and the grove of trees T95-108. Additional tree planting will be provided in accordance with the landscape plan.</p>
C1.2 Safety and Security	The design allows opportunities for casual surveillance and adequate lighting.
C1.3 View Sharing	The extensive tree cover on the subject and adjoining sites means that views across properties are restricted by vegetation rather than structures. Views from adjacent properties are directed out towards the bay and will not be diminished by the proposed works.
C1.4 Solar Access	The main private open space of the dwelling and the main private open space of the adjoining dwelling will receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 st
C1.5 Visual Privacy	Visual privacy will be protected through the substantial setbacks and screening by trees.
C1.6 Acoustic Privacy	Acoustic privacy will be protected by the separation between dwellings and the location of any noise producing plant under the proposed structures.
C1.7 Private Open Space	More than the required minimum 80m ² area of open space will be provided.
C1.12 Waste and Recycling Facilities	These facilities will be located as existing.
C1.13 Pollution Control	Refer to the onsite wastewater assessment

C1.14 Separately Accessible Structures	<p>The proposed detached structures are ancillary to the dwelling. They are not designed for separate habitation and will not contain any cooking or laundry facilities.</p> <p>The proposal for separately accessible pavilions arises from the LEP restriction on expanding the development in the foreshore area which is where the existing dwelling is entirely located. Under this control any additional accommodation must be located behind the foreshore building line and must therefore be separately accessible.</p> <p>Locating the new structures away from the existing ones assists in minimising the visual impact of the proposed development.</p>
C1.19 Incline Passenger Lifts and Stairways	N/A, none are proposed.
C1.23 Eaves	The development proposal incorporates eaves of 450mm or more on each elevation.
C1.25 Plant, Equipment Boxes and Lift Over-run	No roof top plant is proposed. The air-conditioning units will be located beneath the proposed structures and away from the adjoining properties.
D8.1 Character as Viewed from a Public Place	The proposed development includes an articulated façade that provides shaded elements that assist in reducing its visual presence and blending with the environment. The existing trees and proposed screen planting will minimise the visual impact of this property when viewed from Pittwater. The photomontage shows the extremely limited visibility of the proposed development from the waterway.
D8.2 Scenic Protection - General	The existing trees and proposed screen planting will minimise the visual impact of this property when viewed from Pittwater. Refer to architectural drawing 1708 DA-24 Photomontage and Exterior Finishes Schedule and 1708 DA-20 North Elevation from Pittwater. As seen in the photomontage even the existing cabana, although closer to the water than the proposed development, is almost entirely screened from view.
D8.3 Building Colours and Materials	The exterior finishes and materials of the new structures will comprise dark, earthy tones; refer to architectural drawing number 1708 DA-24 Photomontage and Exterior Finishes Schedule.
D8.5 Front Building Line	The proposed building is set back more than 48m from the street boundary.

D8.6 Side and Rear Building Lines	<p>The proposal complies with this control</p> <ol style="list-style-type: none"> 1. The proposed minimum setback on the eastern side is 3.86m 2. The proposed minimum setback on the western side is 4.96m 3. The proposed building works are located entirely behind the foreshore building line.
D8.8 Building Envelope	The development proposal complies with the 3.5m/45 degrees building envelope control.
D8.9 Landscaped Area	<p>The control requirements are that the maximum area not provided as landscaping is required to be 230m², although on sites greater than 1,000m² this may be increased to up to 23% of the site area on a merit basis. This upper limit is calculated as 583.7m² for this site.</p> <p>The proposed maximum area not provided as landscaping is 233.4m² after consideration of the 6% of amenity landscape area allowance. The proposal has 147m² or 5.8% of site area dedicated to landscape amenity treatments such as paths and decks.</p> <p>Given the size of the site and nature of the existing building which requires separate development, the exceedance of the built-upon area by 3.4m² is reasonable.</p> <p>Refer to drawing 1708 DA-03 for landscaped area calculations</p>
D8.10 Fences	N/A, no new fences are proposed.
D8.11 Construction, Retaining Walls, Terracing and Undercroft Areas	<p>A small area of the proposed screened deck is greater than 3.5m above the ground level of the landscaped terrace below. This is due to the sharp change in level between the access stairs and path connecting the proposed development to the existing building and the lower lawn level. The deck is elevated on a lightweight structure that minimises the disturbance to the ground and the combination of the existing dwelling and proposed landscape treatments mean that this undercroft area is fully screened from the public realm. The proposal complies with the objectives of this control.</p> <p>Refer to architectural drawing 1708 DA-24 Photomontage and Exterior Finishes Schedule.</p>
D8.13 Stormwater Overflow	Rainwater will be collected from the south-facing roofs of the proposed pavilions and channelled into a new rainwater tank. Rainwater falling from the north-facing roofs will be allowed to fall directly to the ground without gutters. This will minimise the requirement to maintain difficult to access gutters in a bushfire prone area.

D8.15 Site Disturbance	The proposed site disturbance totals 380.4m ² or 15% of the site area. This is within the requirements of this control.
D15.11 Waterfront Lighting	N/A, no work is proposed below Mean High Water Mark,
D15.12 Development Seaward of Mean High Water Mark	N/A, no work is proposed below Mean High Water Mark,
D15.15 Waterfront Development	N/A, no work is proposed below Mean High Water Mark.

Section 5 – SEPP (Coastal Management) 2018 – Coastal Environment Area and Coastal Use Area

The site lies within land designated as Coastal Environment and Coastal Use areas identified in the SEPP (Coastal management) 2018 policy maps.

The proposed works are located in an area of the site that has been previously developed and landscaped with lawns and exotic species as well as locally native trees. The proposed works will be highly screened from the waterway by existing and proposed trees as well as the existing structures. Refer to the photomontage showing the very limited visibility of the proposed development from Lovett Bay. There are no works proposed in the foreshore area that would hinder public access to the foreshore area nor would it interfere with coastal processes or hazards.

In consideration of Clause 13, Development on land within the coastal environment area, the proposed development will not have any adverse impact on:-

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
- (b) coastal environmental values and natural coastal processes,
- (c) the water quality of the marine estate
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- (f) Aboriginal cultural heritage, practices and places,
- (g) the use of the surf zone.

In consideration of Clause 14, Development on land within the coastal use area, the proposed development will not have any adverse impact on:-

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,
- (iv) Aboriginal cultural heritage, practices and places,
- (v) cultural and built environment heritage.

We submit that the proposed development fully complies with the SEPP (Coastal Management) 2018

Section 5 – Conclusion

This proposal is to extend what is currently a very small dwelling on a large site to provide additional accommodation suitable for a family home. Due to the unusual location of the existing dwelling in the foreshore area and the presence of the intact area of spotted gum – grey ironbark forest on the higher slopes of the site the extensions are in the form of two pavilions inserted between the existing trees. This minimises the visual bulk of the new buildings which are screened from the public waterway by the existing buildings and trees.

The proposal achieves the desired future character of the area of low density dwellings in a landscaped setting. The design incorporates shading features including a verandah and deep eaves that modulate the façade which when combined with the dark natural materials palette will harmonise with the environment. The proposal is stepped down the site to follow the terrain with the rear of the building located at the existing ground level and the forward elements located on light steel framing that minimises the disturbance of the land.

James de Soyres & Associates Pty Ltd

January 2020