

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

**SECTION 4.55 (1A) MODIFICATION TO AN APPROVED DA  
DA 2021/0060**

**PROPOSED ALTERATIONS AND ADDITIONS  
TO AN EXISTING RESIDENCE  
AT**

**10 TAMINGA STREET, BAYVIEW NSW 2104**

LOT 10 DP 27133

Prepared By *JJ Drafting Australia P/L*

September 2023

## 1) Introduction

This Statement of Environmental Effects for modification accompanies documents prepared by JJ Drafting Australia P/L, job number 815/20, modified date August 2023 to detail proposed alterations and additions to an existing residence at 10 Taminga Street, Bayview NSW 2104.

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. As a result of this assessment it is concluded that the development of the site in the manner proposed is acceptable and is worthy of support by Council.

In preparation of this document, consideration has been given to the following:

# *The Environmental Planning and Assessment Act 1979 as amended*

# *The Environmental Planning and Assessment regulation 2000*

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

# *Pittwater Local Environmental Plan 2014*

# *Pittwater 21 Development Control Plan 2014*

## 2) Proposed Modifications

### Description

As detailed within the accompanying plans, the proposal seeks approval for modifications to the approved DA for additions and alterations to an existing double storey dwelling. It provides compliance with the Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan 2014. The proposed modifications are as follows:

### Upper Floor Plan

- Study room deleted and bathroom relocated to allow more space to guest bedroom and family room.
- One window deleted from the south side wall.

### Entry Level Plan

- Approved existing opening which is to be bricked up to kitchen east wall to be provided with a new splashback window, width to match existing opening.
- 2 new windows provided in the walk in pantry – east wall.
- Walk in robe in bed 1 to be relocated along the garage wall.
- Ensuite to be extended
- Window to ensuite west facing made wider.

### Lower Level Plan

- Door to bed 3 relocated
- Separate toilet to be removed and bathroom made bigger.

## Basement Level Plan

Retaining wall provided to supporting to existing structure as per engineering requirements

New timber steps provided as shown on plans

## 4) Zoning & Development Controls

### **4.1 Pittwater Local Environmental Plan 2014**

The site is zoned E4 Environmental Living under the provisions of the Pittwater LEP 2014. The proposed modifications to the approved alterations and additions are permissible with the consent of council.

### **4.2) State Environmental Planning Policy (Building Sustainable Index: BASIX) 2004**

The proposal will require an amended BASIX certificate with this application

### **4.3 Height of Building (LEP 4.3) – NO CHANGES**

The maximum building height control -----8.5m.

Although a maximum building height of 10.0m is allowable 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.*

Only a small portion of the building contravenes the 8.5m building height, and only a small portion contravenes the 10m building height limit. It is requested that this slight non compliance be supported due to the topography of the land and the siting of the existing dwelling. Currently there is very little of an outdoor living area. This will be discussed in clause 4.6

The building is situated on a slope that is greater than 16.7 deg –

The proposed addition has been designed to follow the topography of the site. There will no need for cut and fill.

The proposed building height varies between 5.8m -10m. Only a small portion of the new roof over the new extended balcony contravenes the 10m building height control, it varies between 10.2m – 11.5m

## **PART 7**

### **7.1 – Acid Sulphate soils – NO CHANGES**

The site is identified as being within Class 5 Acid Sulphate Soils Area. The proposed modifications will not see any substantial excavations of the site, and it is therefore not anticipated that the acid sulphate soils will not be encountered.

### **7.2 – Earthworks – NO CHANGES**

The proposed modifications will not require any additional excavations of the site.

### **7.6 Biodiversity Protection – NO CHANGES**

There will be no effect upon the biodiversity of the site in terms of flora and fauna due to the modifications. No trees or vegetation will be removed due to the proposed modifications . There will be no adverse effect on the habitat elements due to the proposed modifications. The development has been designed and sited to avoid any adverse environmental effect.

## **4.4) Development Standards and the Effects of the Proposal**

### **Pittwater 21 Development Control Plan**

The proposed modifications responds to the characteristics of the site and the qualities of the surrounding neighbourhood in a sympathetic and positive manner.

### **B6.3 Internal Driveways (B6.2) and Off-Street Parking – NO CHANGES**

The proposed works will provide for a double garage.

All parking facilities have been designed to comply with AS 2890

### **C1.3 - View Sharing – NO CHANGES**

The proposed Modifications will not negatively affect adjoining dwellings

### **C1.4 - Solar Access – NO CHANGES**

No loss of daylight to habitable rooms in adjacent dwellings will be experienced as a consequence of this proposal.

Adjoining properties will continue to receive a min. of 3hours of natural solar access.

### **C1.5 - Visual Privacy- NO CHANGES**

The proposed modifications will not negatively affect adjoining dwellings.

## **A4.4 Church Point and Bayview Locality**

### **Desired future character**

It is proposed modifications are consistent with the desired future character, the streetscape and the surrounding properties.

The proposed development respects the scale and form of other new and existing developments in the vicinity and therefore compliments the locality.

No vegetation will be removed due to the proposed modifications.

The proposed modifications will be surrounded by existing canopy trees. The visual impact of the built form is secondary to landscaping and vegetation. The proposed modifications will not dominate the streetscape as it follows the steep topography of the site.

The setbacks are compatible with the existing surrounding developments.

The proposed modifications will not have any significant or adverse impact on the neighbouring properties.

#### **D4.1 – Character as viewed from a public place**

The proposed modifications will not affect the character as view from a public place. The proposed modifications will not remove any significant vegetation.

#### **D4.2 – Scenic Protection – General – NO CHANGES**

There will be no changes to the visual views from waterways. The proposed modifications will not be visually seen from the waterways. Existing vegetation has remained on the site. A bushland landscape is the predominate feature of the site.

#### **D4.3– Building colours and materials – NO CHANGES**

The proposal will match the existing dwelling in mid tone colours

#### **D4.5 – Front Building line – NO CHANGES**

The front setback control is a minimum of 6.5 m

Front setback to the proposed new deck addition will be – 12.629m COMPLIES

#### **D4.6 – Side and rear building line – NO CHANGES**

The side setback control is a minimum of 2.5 m to one side and 1.0 m for the other.

#### **Existing side setbacks**

East side setback varies between -----885mm – 888mm – no change

West side setback to the ground floor level – to carport is-----1.456m – no change

West side setback to lower ground floor level -to terrace -----1.456m – no change

#### **Proposed Addition**

##### **ENTRY LEVEL**

East side setback to balcony – 2.2m

East side setback to pantry – 2.083m – to match existing carport setback

West side setback to garage varies between – 1.456m – 1.461m to match existing

##### **NEW UPPER LEVEL**

East side setback to balcony – 900mm

East side setback to Family - – 2.085m

West side setback ----- 3.751m

##### **LOWER LEVEL**

East side setback to balcony ----- 2.2m

West side setback to patio addition varies between – 1.456m – 1.461m to match existing

West side setback to addition varies between ----- 2.559m – 3.316m

SUB FLOOR LEVEL

West side setback to addition varies between – 1.456m – 1.461m to match existing

It is difficult to adhere the side setback control due to pre- existing structures. West side setback to garage varies between – 1.456m – 1.461m to match existing

Is requested that the slight non compliance be supported as it will not affect adjoining properties in view loss or shadow loss.

**D4.8m - Building envelope - NO CHANGES**

The control for this parcel of land is to maintain a building envelope that rises 3.5 m from the side boundary and projects at an angle of 45 deg.

West Side

- New upper level addition (Red ) – only a very small portion contravenes the side building envelope
- Ground floor addition (green and red) -The addition contravenes the side building envelope with greatest being 3.6m to a compliance.
- Lower ground floor addition (blue) – slight non compliance a small triangular area with a max. height of 900mm.

East side

- New upper level addition (Red ) – only a small portion contravenes the side building envelope
- Ground floor (green and red) -This is an existing wall with a new roof to replace an existing roof.
- New deck will slightly contravene the side building envelope

Due to the existing topography of the site which is very steep and pre existing building structures it is difficult to strickly adhere to the side building envelope, It is therefore requested that this non-compliance be supported as it will not affect adjoining properties in solar loss or privacy loss or view loss. It also provides a much needed covered outdoor recreational area that can be utilised throughout the year.

The existing dwelling is quite small in area and the proposed additinos will provide for additinoal bedrooms and living areas that can be used better. The proposed additions have been designed so that there is no excavation.

There will be no detrimental impact upon adjoining dwellings.

**4.10 Landscaped Area – Environmentally sensitive land – NO CHANGES**

The control for this parcel of land is a minimum of 60% landscaped area.

Site area is 689.31sqm

Minimum Landscape are requirement -----60% -----413.59sqm

Existing Landscape area -----62.85%-----433.25sqm

New landscaping area -----60.83% -----419.32sqm - COMPLIES

Existing hard surface area -----256.07sqm  
Hard surface to remain -----283.75sqm

There will be an increase in the hard surface area by 27.68sqm, no on-site detention will be required

## **5) Matters For Consideration Under Section 79c Of The Environmental Planning And Assessment Act, 1979**

### **5.1 The provisions of any environmental planning instrument**

The proposed modifications are subject to the provisions of the Pittwater Development Control Plan 21 and the relevant supporting Council Local plan. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposed modifications achieves majority of the compliance with its provisions. There are no other environmental planning instruments applying to the site.

### **5.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

It is not considered that there are any draft environmental planning instruments applying to the site.

### **5.3 Any development control plan**

The development has been designed to comply with the requirements of the Church Point & Bayview locality and the general principles of Development Control 21.

It is considered that the proposed modifications respects the aims and objectives of the DCP, alternative solution to compliance as the proposal effectively responds to the site constraints.

It is considered that the proposed modification design respects the desired character objectives of the PDCP 2014 and PLEP 2014 in that it reinforces the existing and new residential character of the area and is compatible with the existing uses in the vicinity.

### **5.4 Any matter prescribed by the regulations that apply to the land to which the development relates**

No matters of relevance area raised regarding the proposed development.

### **5.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the proposed modifications to the approved DA, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposed modifications are well designed having regard to the relevant provisions of the Pittwater Development Control Plan 21

### **5.6 The suitability of the site for the development**

The subject land is zone E4 Environmental Living under the Pittwater Local Environmental Plan 2014

and the proposed development is permissible as category 1 and 10 development. The site is considered suitable for the proposed development.

#### **5.7 Submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of the proposed modifications.

#### **5.8 The public interest**

The proposed Modifications will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

#### **6) Conclusion**

The proposed modifications will not have any detrimental impact on the adjoining properties or the locality. The proposal is in keeping with Council's aims and objectives for this locality. There will be no effect on local fauna and flora.

In scale, form and finishes, the proposed modifications will have a positive effect on the lifestyle of its inhabitants and the visual amenity of its neighbours.

As the proposed modifications 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.