



## Statement of Environmental Effects



**VIEW FROM PACIFIC ROAD**

New Granny Flat and Garage above, lift and stair to  
An Existing Dwelling @

7 Pacific Road, Palm Beach

Prepared For C & M Lamb

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## 1.0 INTRODUCTION

This Statement of Environmental Effects is a report that forms part of an application for development consent submitted to the Northern Beaches Council for: -

- A new Granny Flat & Garage, Lift and Stair to an existing dwelling

The location of the proposal is 7 Pacific Road, Palm Beach and contains a two-storey dwelling and hardstand area for carparking. The site has a total area of 1026m<sup>2</sup> of land. The site falls steeply away from the road to the east at a slope of 43% to the existing dwelling 10m below the road. The legal description is Lot 401, DP 19651.

## 2.0 THE SITE & DESIGN RESPONSE

The site is regular in shape and falls steeply from the road to the east rear boundary. The site falls 25m over a boundary length of 58m, or a consistent slope of 43% over the entire site.

The site is shown on the aerial image below indicated by the yellow star. The site has NE views to the Pacific Ocean and Central Coastline of NSW.



Figure 1. Aerial view of the location of the site.

The proposal seeks to provide secure parking for two vehicles within the site that can enter and exit in a forward's direction to replace the current hardstand that accommodates a single car space within the road reserve and then a second space on street, to a narrow section of Pacific Road. The proposal provides compliance with the DCP requirement for 2 off-street parking spaces.

The extreme slope of the site falling away from the street requires the garage to be located within the 6.5m front building line to minimise breach of building height whilst providing a safe and compliant gradient to the driveway. A reduced setback is therefore proposed. The reduced setback is not out of character as several adjoining and nearby sites also contain parking structures within the front building line, including dwellings at 5 and 9 Pacific Road.



Figure 2. Street view of garages within the building line at 3 and 5 Pacific Road – 700mm setback.

Figure 3. Street view of carport within the building line at 9 Pacific Road – 2.95m setback.



The design of the garage minimises the visual impact to the street with a ridge height only 3m above the road level, and the width of the garage occupying 40% of the frontage. New landscaping is provided on site and can now be added in the road reserve to screen the garage. The remaining 60% of the frontage is open to allow views from a public place to the ocean over the dwelling lower on the site to be retained.

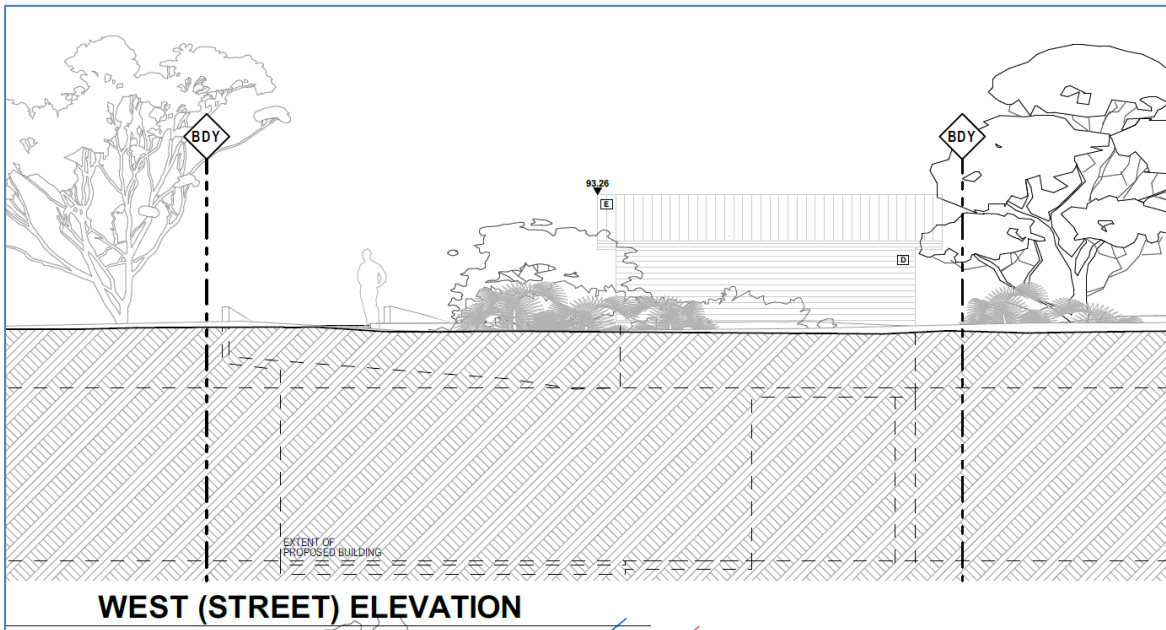


Figure 4. Street view of the proposed garage - elevation.

Figure 5. photo from proposed new driveway to view.



The proposal also seeks a secondary dwelling located under the proposed garage. The secondary dwelling will have no impacts as it is well below the street and at ground level, with minimal excavation. Elevation and Section drawings demonstrate the low impact of the proposed secondary dwelling.

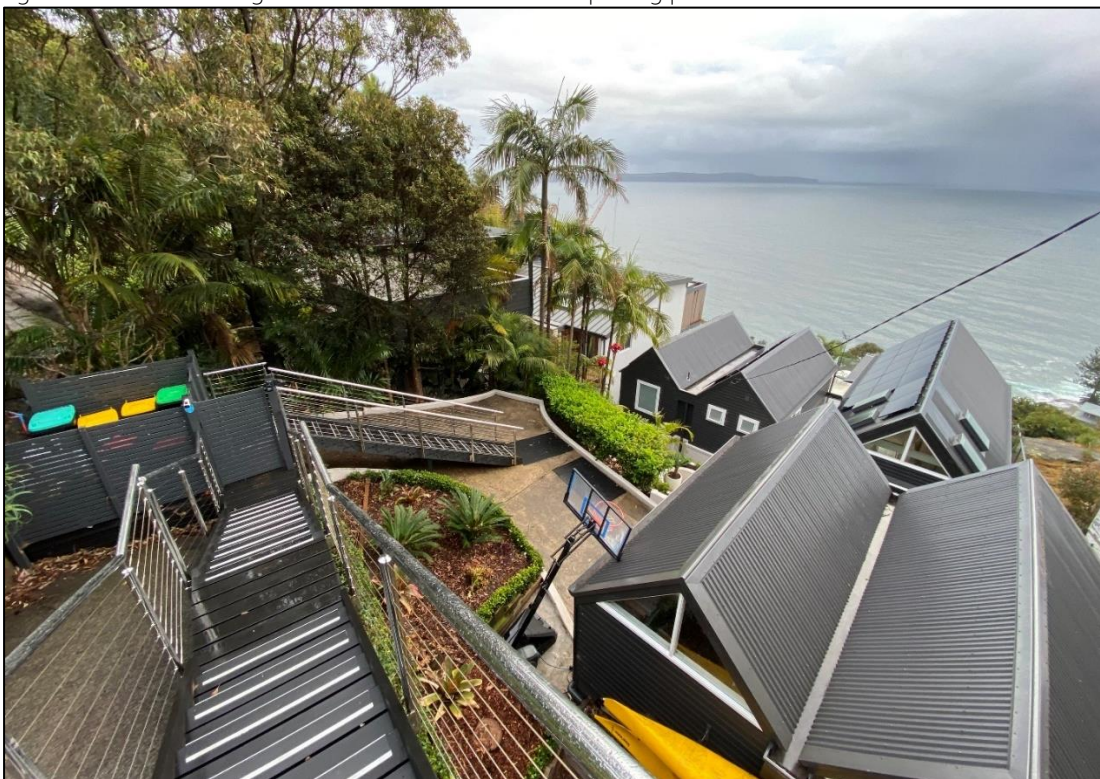
This report refers to the following accompanying documents: -

- Architectural Drawings **DA-01 to DA-12 issue A**, Project No.2412
- Survey
- Arborist Report
- Geotechnical Report
- BASIX certificate



Figure 6. View of existing dwelling from the current parking platform. Old driveway (too steep – 1:3) under stair, position of the proposed garage in yellow outline

Figure 7. View of dwelling and ocean from the rear of the parking platform



This report examines the issues of compliance with Council codes, SEPP, LEP, DCP and statutory policies that apply to the site and is appropriate for granting of consent on the merits of the application and design.

### 3.0 PLANNING CONTROLS & COMPLIANCE

#### PITTWATER 21 DEVELOPMENT CONTROL PLAN & PITTWATER LOCAL ENVIRONMENT PLAN 2014

The following responses deal with the clauses relevant to this application and the Locality Statement relevant to the site.

#### Pittwater LEP 2014

#### Clause 2.2 Land Zoning Map

The site is mapped as zone C4 Environmental Living

Zone Objectives

- 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.

The proposed development is permissible within the zone

#### Clause 4.3 Height of Buildings

Pursuant to clause 4.3 PLEP 2014 the height of a building on any land is not to exceed 8.5 metres.

The proposed garage and secondary dwelling have a maximum height of 11.04m to the skillion roof over the stair, to an excavated existing level. The maximum height above the natural ground would be less than 10m.

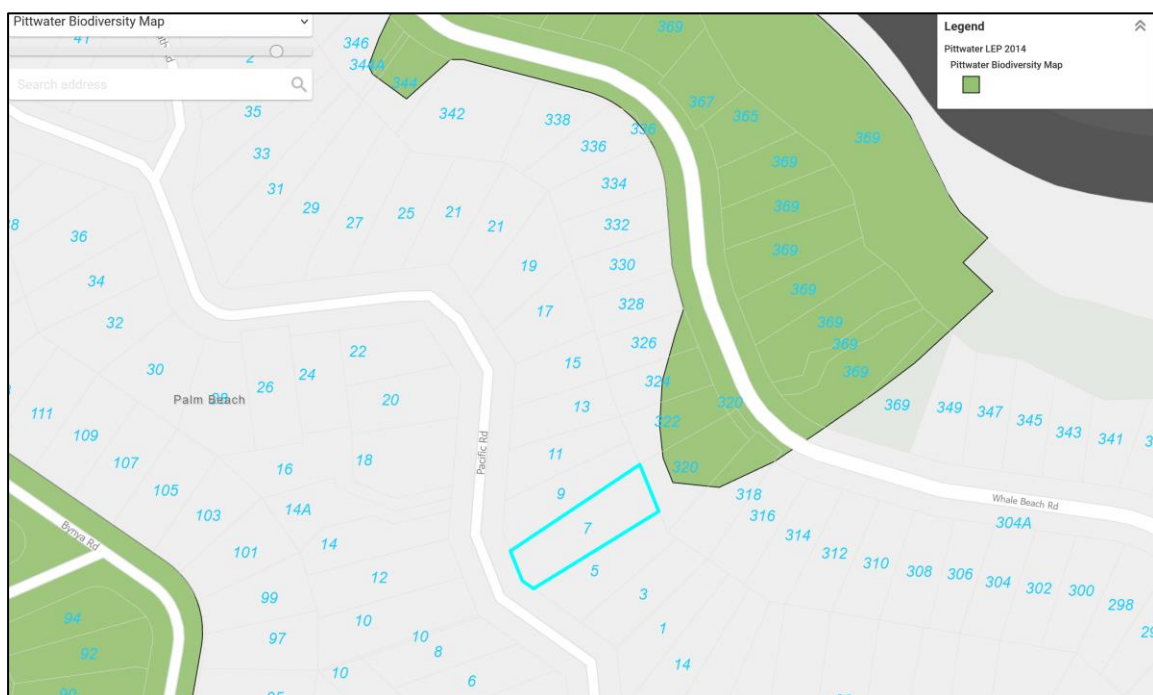
The proposal seeks to utilise the LEP clause 4.3 (2D) to vary the height for land with a slope in excess of 30%. A clause 4.6 statement accompanies the application to justify the departure from the standard due to existing excavated levels.

#### Clause 7.6 Biodiversity

The objectives of this clause are:

- 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 habits.

The proposal is not within the Pittwater Biodiversity mapped area nor is it within the Biodiversity Values Map (NSW Government)



**B3.1 Landslip Hazard**

Outcomes *Protection of People*  
*Protection of the Natural Environment*  
*Protection of public and private infrastructure and assets*

Controls The NBC Mapping extract below indicates the site within risk. A geotechnical report is submitted with the application to confirm compliance with the Geotechnical Risk Management Policy for Pittwater, albeit that the works are not located within the hazard area on the map.



**B5.5 Rainwater Tanks**

Outcomes *Water conservation and reduction in mains water demand. (En, Ec)*  
*Development is compatible with Water Sensitive Urban Design principles. (En)*

Controls All development creating an additional hard (impervious) roof area of greater than 50m<sup>2</sup> must provide a rainwater tank for non-potable use connected to external taps for the purpose of landscape watering and car washing and a functional water reuse system including, water supply for toilet flushing and other uses as permissible under the current Code of Practice for Plumbing and Drainage.

The proposal replaces an existing driveway and garage/store and as such the additional impervious area is 40.70m<sup>2</sup> for the garage and granny flat additions.

**There is no requirement for Rainwater Tanks for this application either under the BASIX legislative requirements or council policies.**

**B5.15 Stormwater**

Outcomes *Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;*  
*Minimise the risk to public health and safety;*  
*Reduce the risk to life and property from any flooding and groundwater damage;*  
*Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.*  
*Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*  
*Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*

*Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.*

Controls The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy

Table 7, section 9.3 of the above Policy provides that for additional impervious areas of 0-50m<sup>2</sup>, that no storage is required for On-Site Detention. The additional impervious area is 40.70m<sup>2</sup>.

**There is no requirement for Stormwater Detention for this application**

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#### **B6.1 Access Driveways**

#### **B6.2 Internal Driveways**

#### **B6.3 Off-Street Vehicle Parking Requirements**

Outcomes *To ensure safe and convenient access and parking is provided.  
Pedestrian Safety*

Controls The proposal seeks to replace the existing driveway that is narrow and dangerously steep with a new compliant gradient to the proposed garage.

The proposal complies.

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

Outcomes A built form dominated and complemented by landscaping. Landscaping that reflects the scale and form of development.

Controls The proposal complies. The existing site is heavily landscaped, and the works disturb very little of this site. A landscape plan is not required nor provided.

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

Outcomes Public views and vistas are protected, maintained and where possible, enhanced.  
Maintain reasonable sharing of views from public places and living areas.

Controls The proposal has no impact on views from surrounding private property.

The proposal retains 60% of the views from a public place – Pacific Road – to the Pacific Ocean.

The proposal complies

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

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.*

Controls The proposal is accompanied by shadow diagrams. There is no additional impact to the only adjoining property caused by the proposed garage and secondary dwelling.

The proposal complies.

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

Outcomes *Habitable rooms and outdoor areas shall achieve and maintain visual privacy.*

Controls The proposal has been designed to minimise overlooking into living areas and private open spaces

There is no loss of visual privacy to the adjoining dwellings. The proposal complies.

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#### D4.1 Character As Viewed From A Public Place

Outcomes	<i>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 form and natural environment. To enhance the existing streetscapes and promote a scale and density that is in keeping 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 a human scale To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.</i>
Controls	The proposal complies

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#### D4.2 Scenic Protection

Outcomes	<i>Achieve the desired future character of the locality Bushland landscape is the predominant feature of Pittwater with the built form being secondary component of the visual catchment</i>
Controls	The proposal satisfies all controls of D4.2.

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#### D4.3 Building Colours, Materials and Construction

Outcomes	<i>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 the visual character of 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.</i>
Controls	The proposal satisfies all controls of D4.3 with the colours and materials to match the existing dwelling.

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#### D4.5 Front Building Line

Outcomes	<i>Achieve the desired future character of the Locality. The amenity of residential development adjoining a main road is maintained. Vegetation is retained and enhanced to visually reduce the built form. Vehicle manoeuvring in a forward direction is facilitated. 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.</i>
Controls	<p>The controls require that 'The minimum front building line shall be 6.5m, or established building line, whichever is the greater'.</p> <p>The property exists on an extremely steep site with a 43% slope down from the road. As such, the location of a garage behind the building line would result in an extreme breach of building height.</p> <p>The proposal seeks a minimum front setback of 1.5m in the SW corner. This is considered reasonable as the average setback is approximately 2.75m. The setback allows landscape screening within the property to reduce the bulk and scale, and the site has a 6-7m wide road reserve that is partially landscaped and could be enhanced. The combination of setbacks results in a streetscape that is not confronting due to a reduced setback, as the garage door faces 90 degrees to the street.</p> <p>The proposal is not out of context with adjoining properties on Pacific Road with no.5 providing a 0.7m setback to a garage, no.3 has a 0.7m setback to a garage and no.9 has a 2.95m setback to a carport.</p>

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We submit that the proposal satisfies the outcomes of the policy, and that under the circumstances of extreme slope, the reduced setback is justified or support of the application

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#### D1.9 Side and Rear Building Line

Outcomes	<p>The proposal satisfies all outcomes of D1.9</p> <p><i>Achieve the desired future character of the Locality.</i></p> <p><i>The bulk and scale of the built form is minimised</i></p> <p><i>To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping</i></p> <p><i>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties</i></p> <p><i>Substantial landscaping, a mature tree canopy and an attractive streetscape</i></p> <p><i>Flexibility in the siting of buildings and access</i></p> <p><i>Vegetation is retained and enhanced to visually reduce the built form</i></p>
Controls	<p>The controls require that the minimum setback is 2.5m for at least one side and 1m for the other and 6.5m to the rear or foreshore building line.</p> <p>The proposal seeks a 1.05m south side setback to the two storey garage/secondary dwelling, and a 1.6m minimum setback to the north side elevated driveway.</p> <p>These setbacks although not meeting the minimum 2.5m to one side, retain significant landscape screening to the adjoining carport by maintaining the large eucalypt tree and the palms within the site.</p> <p>We submit that the boundary setback should be assessed on merit and the proposal should be supported to vary the 2.5m setback to allow forwards entry and exit from the site for vehicles</p>

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#### D1.11 Building Envelope

Outcomes	<p>The proposal satisfies all outcomes of D1.11</p> <p><i>To achieve the desired future character of the Locality. (S)</i></p> <p><i>To enhance the existing streetscapes and promote a <a href="#">building</a> scale and density that is below the height of the trees of the natural environment.</i></p> <p><i>To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.</i></p> <p><i>The bulk and scale of the built form is minimised. (En, S)</i></p> <p><i>Equitable preservation of views and vistas to and/or from public/private places. (S)</i></p> <p><i>To ensure a reasonable level of privacy, amenity and solar access is provided within the development <a href="#">site</a> and maintained to residential properties. (En, S)</i></p> <p><i>Vegetation is retained and enhanced to visually reduce the built form. (En)</i></p>
Controls	<p>The controls require that 'Buildings are to be sited within an envelope projected at 45 degrees from a height of 3.5m above natural ground level at the side boundaries....'</p> <p>The proposal breaches the envelope due to the extreme slope of the land at 43%.</p> <p>The breach however, does not carry any impacts to the adjoining properties due to existing dense landscape screening and location of buildings on the adjoining properties.</p> <p>We submit that the proposal complies on merit and should be supported to vary the building envelope.</p>

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#### D1.14 Landscaped Area – Environmentally Sensitive Land

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

Controls The site is identified within Area 1 of the Landscaped Area map. The control requires a minimum of 60% of the site shall be landscaped area. The calculations use the nett site area exclusive of the battleaxe subdivision handle.

**The existing landscaped area is 642.06m<sup>2</sup> (62.57%)**

**The proposed landscape area is 601.36m<sup>2</sup> (58.60%).**

The proposal seeks to utilise the variations to the policy for upto 6% of the site (61m<sup>2</sup>) as impervious outdoor areas for recreation. As the slope is extreme, the only level land is surrounding the pool and the area is 51.64m<sup>2</sup>.

**The proposed landscape including impervious recreation 653m<sup>2</sup> (63.63%).**

The proposal complies when including the variations.

## **5.0 CONCLUSION**

The proposal for a new garage and secondary dwelling 7 Pacific Road, Palm Beach as submitted is permissible the consent of Council. The development is consistent with the provisions of the Pittwater LEP 2014 and responds to the relevant DCP controls and outcomes.

The proposal is in keeping with the Desired Future Character statement for the area. The development will provide a positive contribution to the locality. The proposal will not have any unacceptable adverse environmental effects and conforms to the relevant statutory planning requirements.

The application is therefore suitable for approval.