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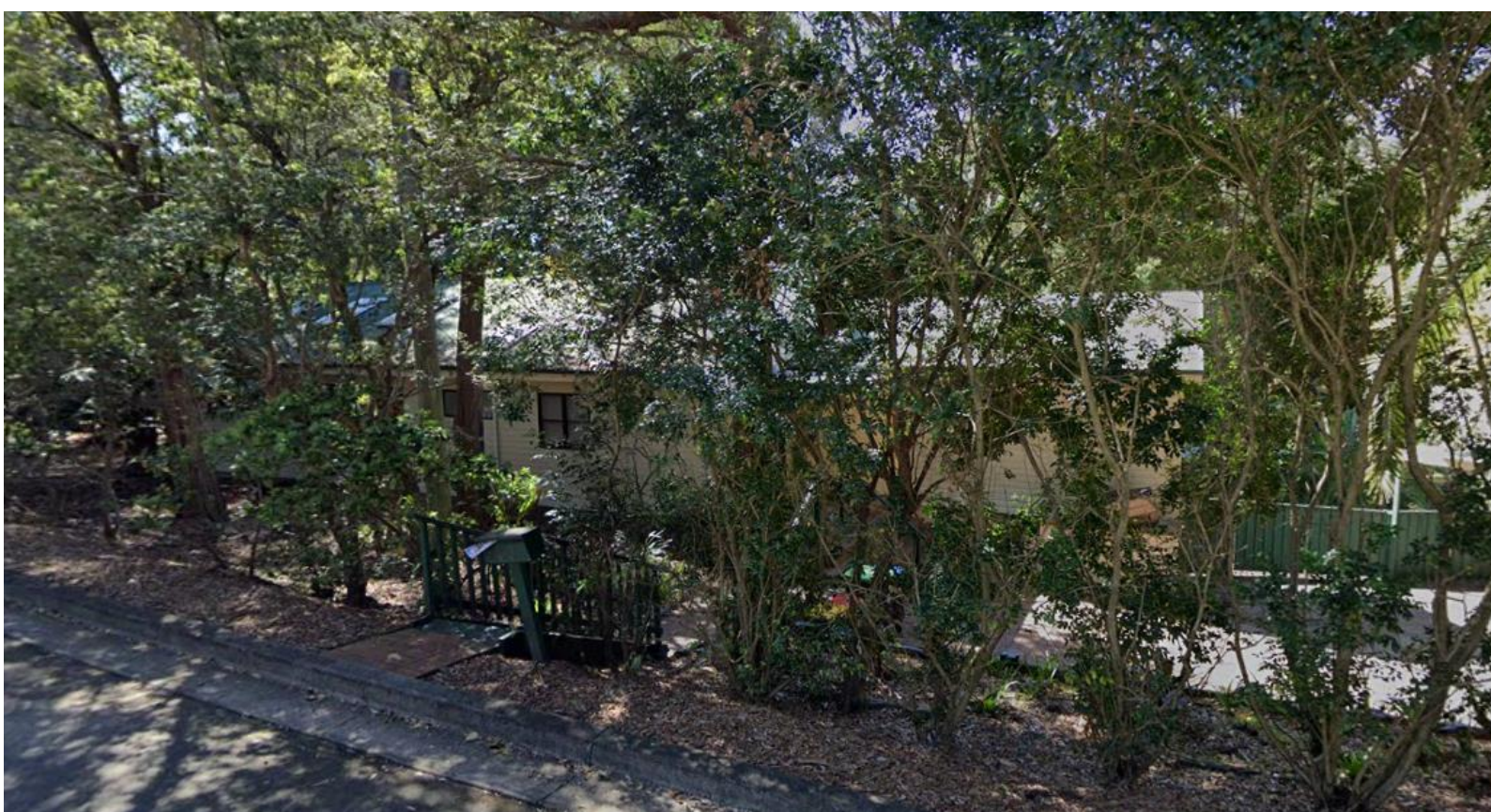
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Statement of Environmental Effects

Alterations and additions to the existing dwelling, 23 Waterview Street MONA VALE

2103



19 September 2020

Revision History

Version	Author	Reviewed	Date
Initial SEE	KR		
Lodgement	KR	NF	19 September 2020

Authorship

This statement is prepared by Kim Rothe, Bachelor of Applied Science (Environmental Science) (Hons). 23 Years of Experience in Assessment Planning both in a public and private capacity.

1. SUMMARY

This Statement of Environmental Effects is prepared for the consideration of Northern Beaches Council in support of an application for alterations and additions to the existing dwelling at 23 Waterview Street, Mona Vale. This Statement responds to the planning considerations required to be assessed by Northern Beaches Council Policies.

The proposal has been designed to relate to its site, and have minimal impact in terms of design, materials, visible height and local amenity impacts. This statement provides for an assessment of the proposal having regard to relevant legislation and the Northern Beaches Policies under the terms of 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The preparation of this Statement is pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979 (As amended)* and Clause 50 of the *Environmental Planning and Assessment Regulation 2000*. This statement assesses the proposal to be generally acceptable on merit, demonstrating the development will not result in any unacceptable adverse impacts. The proposal is generally in compliance with all relevant DCP and LEP objectives.

2. THE SITE

The subject site is known as 23 Waterview Street MONA VALE 2103. The real property description is Lot 8 in DP22118. It is located on a corner allotment. The site is occupied by a two-storey residential dwelling on a well landscaped allotment. The site is surrounded by other low-density residential dwellings and natural bushland to the north. Mona Vale town centre is located to the south west. This is **not** a heritage listed property and is not located in a heritage conservation area.



Figure 1: Location Plan of the site

3. RELEVANT HISTORY

There is no records of recent applications available on Council's online DA tracker. No readily available information can be sourced regarding the construction of the existing dwelling.

3. DESCRIPTION OF PROPOSAL

Consent is sought from Northern Beaches Council for alterations and additions to the existing dwelling principally on the outside of the building.

Due to the terrestrial biodiversity classification of the site, the proposed works are not able to meet exempt or complying development criteria, Council approval is required for the proposal.

Ground Floor

- Removal of existing external balcony stairs
- Construction of external new stairs to first floor
- New boundary fence on Waterview St with gate - post and rail with pickets.

First Floor

- Demolition of toilet
- Construction of new stairs to deck
- Extension of deck
- Refurbishment two bathrooms on the floor and kitchen
- Alteration to windows and door

4. ENVIRONMENTAL ASSESSMENT UNDER SECTION 4.15

The following matters are to be considered in the assessment of this development application under Section 4.15 of the Environmental Planning & Assessment Act, 1979 (As amended).

4.1 SECTION 4.15(1)(a) ENVIRONMENTAL PLANNING INSTRUMENTS

4.2 Integrated Development

The proposal does not constitute Integrated Development and does not require concurrent approval from any other State Government Bodies.

4.3 Relevant State Instruments and Legislation

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

As the proposal involves alterations and additions to a residential dwelling which exceeds \$50,000.00 in value, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") requires that a valid BASIX certificate is prepared detailing any required commitments for energy

efficiency measures. A valid BASIX certificate has been included for Councils consideration as per of the development application package.

State Environmental Planning Policy No. 55 - Remediation of Land

This SEPP provides a state-wide practice for the remediation of contaminated land. Under clause 7 (1) (a) of State Environmental Planning Policy No. 55 – Remediation of Land, consideration has to be given as to whether the land is contaminated.

The residential use of the land will not change nor does the application propose an activity to which there would be any new unreasonable contaminating activities. The works involved in the subject application does not require any significant excavation.

4.4 Pittwater Local Environmental Plan 2014

Aims and objectives of zone

The site is zoned "*E4 Environmental Living*" Zone under the provisions of the Pittwater Local Environmental Plan 2014. The objectives of the zone are:

"Zone E4 Environmental Living

1 Objectives of zone

- *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.*

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures

4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3"

The proposed development, being ancillary to the existing dwelling is permissible with consent. The proposal is consistent with the objectives of the zone. The proposed works will improve the amenity of the dwelling without adversely impacting upon the amenity of adjoining properties. The dwelling will remain consistent with alterations to adjoining dwellings and sit comfortably with surrounding development and natural environment.

Any demolition associated for the proposal is permissible subject to the provisions of Clause 2.7 of the Plan with consent being sought under this application.

The site does not sit in any deferred area under LEP 2011 which is still subject to the former LEP 2000.

Pittwater Local Environmental Plan 2014 Controls

Relevant LEP clauses/development standards

Note: Only relevant clauses are commented upon

CL. Standard/Control	Complies	Comment
PART 4 PRINCIPAL DEVELOPMENT STANDARDS		
Clause 4.1 Minimum Subdivision Lot size (700 m²)	N/A	No subdivision proposed
Clause 4.3 Height of buildings (8.5 metres)	Yes	There is no alteration to overall building height. There are no new works above the 8.5 metres height limit
Clause 4.4 floor Space Ratios	N/A	Single Dwelling, no FSR control applicable to site.
Clause 4.6 Exceptions to Development Standards	N/A	No development standards require variation.
PART 5 MISCELLANEOUS PROVISIONS		
Clause 5.6 Architectural Roof features	N/A	Not adopted in Pittwater LEP 2014.
Clause 5.9 Preservation of trees or vegetation	N/A	No significant trees or vegetation requires removal as a result of the works.
Clause 5.10 Heritage conservation	N/A	The site is not an identified heritage site (cultural or aboriginal). Minimal excavation is proposed and therefore the likelihood of uncovering relics is low.

Clause 5.11 Bushfire Hazard Reduction	Yes	The site is not susceptible to Bushfire Hazards. The site is not affected by any bushfire hazard rating as per the associated bushfire prone land map
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PART 6 URBAN RELEASE AREAS

Part 6 Urban Release Area	N/A	Site not part of urban release area.
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PART 7 ADDITIONAL LOCAL PROVISIONS

7.1 Acid Sulfate Soils	Yes	The subject site is located on land identified as lying within the Class 5 ASS zone and has minimal ASS risk. Minimal excavation also occurring therefore is not considered to raise any concern in this regard.
Clause 7.2 Earthworks	Yes	Minimal excavation required on site to undertake the works and are associated with a permissible activity. Beyond footing holes no significant excavation required. The applicant has no objection to adhering to any requirements of Council in this regard.
Clause 7.3 Flood Planning	N/A	Site is not identified as being flood prone
Clause 7.6 Biodiversity Protection	Yes	The site is located in the biodiversity zone. All works are located over existing altered landscape and paving. No significant trees, rock outcropping or vegetation will be affected by proposal. No vegetation will be removed as a result of the works. There are no tracts of remnant bushland on site and the proposal should raise no concern in this regard.
Clause 7.7 Geotechnical Hazards	Yes	The site is not specifically identified as being impacted by geotechnical hazard. The works can be constructed to appropriate engineering or geotechnical requirements to ensure geotechnical stability of the site. The applicant has no objection to adhering to any requirements of Council in this regard.
Clause 7.10 Essential Services	Yes	The site as existing is adequately serviced and does not require augmentation of any services to facilitate or undertake the alterations.

5. Section 4.15(1)(a)(ii) DRAFT AMENDMENTS TO STATUTORY CONTROLS

There are no draft amendments noted to any statutory controls applicable to the proposal.

6. Section 4.15(1)(a)(iii) DEVELOPMENT CONTROL PLANS**6.1 Pittwater 21 DCP Compliance Table**

Note: Sections of the DCP clearly not applicable to the proposal have not been included.

CL.	Standard/Control	Complies	Comment
Part B General Controls			
B1	Heritage controls	N/A	As discussed in previous table, site is not an identified heritage item. As works are largely occurring to the existing floor plate of the dwelling. Excavation for new deck, car stand area and balcony post holes will be minimal.
B3.1	Landslip Hazard	Yes	the level of excavation proposed on site can be safely accommodated on site during construction of the development with no risk to adjoining development. The applicant has no objection to adhering to any requirements of Council in this regard.
B3.2	Bushfire Hazard controls	N/A	The site is not susceptible to Bushfire Hazards.
B3.6	Contamination	Yes	The site has an extended history of residential usage and as such the potential risk of contamination is minimal. Additionally all works are largely occurring to the existing dwelling footprint. As such the risk of any contaminating activities is minimal and the site should continue to be suitable for use for residential purposes.
B4.6	Wildlife Corridors	Yes	No significant vegetation or landform is proposed or required to be removed as a result of the proposed works. No existing wildlife buffers will be affected by the proposal. Given the relatively minimal scope of works outside of the building footprint the development is unlikely to give rise to any concerns in this regard.
B5.2, B5.3	Wastewater Disposal	Yes	Stormwater to be disposed via existing system. Sewer to be connected to existing on-site facilities.
B5.4, B5.7, B5.8, 5.10, 5.12, 5.14	Stormwater	Yes	Stormwater system to be connected to the existing drainage system The alterations should not result in any adverse degradation of surface runoff and stormwater entering the drainage system. The applicant has no objection to adhering to any of Council's further requirements in this regard.

B6 B6.1, B6.2 B6.3 B6.5	Access and Parking	No change	No change to access and existing parking facilities on site
B8	Site Works Management	Yes	<p>Disturbance to the topography of the site will be minimal and should not generate significant sedimentation control requirements. Demolition will also be relatively minor and can be handled by on site general construction skip bin management.</p> <p>Demolition and construction waste to be minimised and reused on site where possible.</p> <p>No significant trees are located in near vicinity of the new addition works therefore tree protection should not be necessary in the circumstances.</p> <p>The applicant has no objection to adhere to any of Council's requirements in this regard.</p>

PART C Design Criteria For Residential Development

C1.1	Landscaping	Yes	Minimal alteration landscaping proposed.
C1.2	Safety and Security	Yes	The works will not alter the existing street / dwelling interface.
C1.3	View Sharing	Yes	District views from other adjoining dwellings will not be materially impacted as a result of the proposed works whose primary outlook is to the east/south east across the rear of the site.
C1.4	Solar Access	Yes	<p>Works are largely contained within existing building footprint and do not materially alter the existing solar regime on site. The main addition is located on the northern side of the dwelling and new shadow will be largely cast over the existing dwelling.</p> <p>Adjoining dwellings, due to the relatively low density of the locality will continue to receive ample solar access to the dwelling and outdoor spaces.</p>
C1.5, C1.6	Visual Privacy/Acoustic Privacy	Yes	All new works or significant window openings located on the additions are setback a significant distance from the side boundaries of the site and located on non-primary areas of the dwelling.

			Existing trees/vegetation will be maintained between the two premises maintaining privacy.
C1.7	Private Open Space	Yes	The proposal will result in an improvement to the total available private open space on site. Principle ground level areas will be maintained
C1.12	Waste and Recycling Facilities	Yes	Post construction, waste will continue to at anticipated domestic levels as there is no significant increase to the residential density on site.
C1.13	Pollution control	Yes	The development will not give rise to unreasonable pollution generation.
C1.14	Separately Accessible Structures	Yes	There are no new separate structures proposed in the rear yard which can be repurposes into habitable structures.
C1.18	Incline Passenger Lift and Stairways	N/A	No lift or inclinator proposed
C1.23	Eaves	Yes	No new eaves or new roof proposed
C1.24	Public Road Reserve – Landscaping and Infrastructure	Yes	No street trees will be impacted by the proposal. There is no footpath as existing and it is not considered reasonable to require the subject sites owners to provide an individualised section of footpath.

Part D Locality Based Controls – Mona Vale Locality

A4.9	Mona Vale Locality – desired future character	Merit	The proposal will maintain the intended character of the area being a low-density residential area. The works seek primarily to improve the amenity of the existing dwelling without compromising the local landscape character. The proposal does not significantly alter the existing bulk and scale of the dwelling.
D9.1	Character from a Public Place	Yes	The development will enhance the existing dwellings general presence without compromising streetscape or the general locality. With regards to bulk and scale the dwelling will remain a two-storey dwelling.
D9.2	Scenic Protection	Yes	The development will not unreasonably impact upon the local regional scenic qualities.
D9.3	Building Colours and Materials	Yes	Materials to match existing dwelling as appropriate.

D9.6	Front Building Line	No change	The dwellings front setback remains unchanged.
D9.7	Side and Rear Building Line	Merit	<p>Side setbacks are in compliance with the requirements of this clause</p> <p>A 6.5 metre rear setback is required by the table and the new additions are fully compliant in this regard.</p> <p>The works to the stair will be slightly within the required rear setback of 6.5 metres.</p> <p>It is submitted that the reduced rear setback is acceptable in the circumstances (with regard to the intended outcomes of the clause) for the following reasons:</p> <ol style="list-style-type: none"> 1. The additions will be in accordance with the desired future character of the locality; 2. The deck is existing and the stairs within the setback line are for access only. 3. Site is an irregular shaped allotment. 4. There will be minimal visible alteration to the bulk and scale of the existing building; 5. There will be no significant impacts to any views, privacy or solar access afforded to or from any adjoining dwelling or public places. 6. The non-compliance is also primarily due to the existing site boundaries and dwelling orientation. <p>Accordingly, in the absence of any material impact arising out of reduced setback and the proposal being in accordance with the outcomes of the clause, Council's favourable consideration is requested in this regard.</p>
D9.8	Building Envelope	No change	There is no effective change to the existing building envelope.
D9.10	Landscaped Area	Yes	All new decking is over existing paved area (refer to survey). Accordingly, there is no loss of soft landscaping on site. Existing wooded area on the lot will be retained
D9.11	Fences	N/A	No new fences proposed or required.
D9.12			
D9.14	Construction, retaining walls, terracing and undercroft areas	N/A	No new retaining walls or terracing proposed

7. Section 4.15(1)(a)(iv) APPLICABLE REGULATIONS

Clause 92 of the EPA Regulation 2000 requires consideration of Australian Standard AS 2601-1991: The demolition of structures. It also requires compliance with this, by standard by condition of consent.

It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. The proposal can meet applicable noise criteria to protect the amenity of the nearby commercial and residential premises.

Despite these comments, it is to be noted, at the time of consideration of the application, the resultant use will be in operation and beyond any conditional requirements. There will be no new construction required beyond the erection of the signage. The use in itself will not result in any ongoing or unreasonable noise generation occurring from the premises.

8. Section 4.15(1)(b) THE LIKELY IMPACTS OF THE PROPOSAL

As demonstrated throughout this statement, post construction, the development will result in no ongoing impact beyond that typical of that for a residential dwelling. The other principle impacts to be considered are impacts as arising from demolition and construction activities.

Construction works will be undertaken in accordance with prescribed times. It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Approved silencing devices will be provided and maintained on all power operated machinery, where required.

Construction works will be carried out in accordance with the Building Code of Australia / National Construction Code.

Excavation (if any) will be undertaken in accordance with standard Council conditions of consent and within nominated working hours. Construction noise associated with any excavation is intended to comply with the *Protection of Environment Operations Act 1997* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. Precautions will be taken during site works to minimise vibration including the avoidance of sudden stop - start movements.

9. Section 4.15(1)(c) THE SUITABILITY OF THE SITE

The subject site is suitable for the proposal as:

- The site is current occupied by the dwelling and the works are concerned with improving the amenity on site. As such there is no material alteration to the existing privacy and solar amenity impacts from the existing dwelling to surrounding properties.

- Adequate water, stormwater drainage and sewage facilities are available on the site to service the proposed development.
- The development is consistent with existing and future development on the immediate adjoining sites and in accordance with the land zoning and future intents of the locality.
- There are no precipitate constraints posed by adjacent land uses.
- Appropriate erosion and sediment / waste management control measures will be employed during works.
- The development will not result in the ongoing environmental degradation of the local area

The application therefore satisfies this section of the Act.

10. Section 4.15(1)(e) THE PUBLIC INTEREST - CONCLUSION

It is proposed to reconstruct the existing storm damaged dwelling on site.

The application for dwelling additions has been assessed against relevant provisions of the Environmental Planning and Assessment Act, Council's Local Environmental Plan and Development Control Plans.

The development being within the existing built form on site, relates well to its site in terms of appearance, envelope, setbacks, bulk and scale and the established streetscape character of the area.

The proposed development will be in the public interest, as it returns the dwelling to a habitable state without adverse visual impact to streetscape.

The proposal complies with all relevant LEP and DCP objectives, or if non compliances are identified the development is, in our opinion, acceptable in the circumstances as per the reasons set out in this statement and would have no adverse impact to any adjoining properties and the locality.

The application therefore satisfies this section of the Act.