

Northern Beaches Council

Planning & Development

**STATEMENT OF ENVIRONMENTAL EFFECTS.**

**PROPOSED ALTERATIONS & ADDITIONS**

**3 LUMEAH AVENUE ELANORA HEIGHTS NSW 210**



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## **1. INTRODUCTION**

The following document is to be read in conjunction with plans, specifications and associated documentation prepared by:

**Planning 2 Build**  
**Licence No 6716C**

**PROPOSED ALTERATIONS & ADDITIONS**  
**3 LUMEAH AVENUE, ELANORA HEIGHTS**

## **2. TYPE OF DEVELOPMENT**

The owners of the property wish to apply for a Development Approval for the following scope of works:

- An extension of the existing garage / storage basement area with a tiled terrace above.
- Extensions to the Ground floor including an extension of the existing lounge area and a tiled terrace.
- Alterations to the existing ground floor including a new bathroom, laundry & kitchen.
- A new carport/garage parking facility to the south side of with access from the Ground floor area.
- A new Alfresco roof and paved area on the rear to replace the existing.
- A new First Floor Addition with a tiled terrace, Colourbond roof and weatherboard cladding.

## **3. SITE DESCRIPTION**

- The existing home sits on Lot 108 DP 24360
- The zoning controls are – E4 Environmental living
- The site is 976.2m<sup>2</sup> in area with an existing single storey full brick dwelling with basement and single garage, the dwelling also includes a metal roofed veranda at the rear.
- The site has an existing secondary dwelling in the rear yard with access via stairs and a concrete pathway on the southern boundary.
- The property is on a sloping site and contains established landscaping including lawns gardens and rocky outcrops.
- The property is fully fenced and has a paved vehicular driveway with parking space on the southern side of the existing dwelling and includes pathways.

## **4. PLANNING CONTROLS & RESPONSE**

This statement has been prepared to analyse and respond to the relevant objectives, planning controls and to adhere to the desired future character of the local environment contained within the following.

[Pittwater Local Environment Plan 2014](#)

### **PART 1 PRELIMINARY – NA**

### **PART 2 PERMITTED OR PROHIBITED DEVELOPMENT**

#### **Zone E4 Environmental living**

##### **1. Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

##### **Assessment**

- The proposed development is allowable under the objectives of the zone and is permissible with consent.

## PART 3 EXEMPT AND COMPLYING DEVELOPMENT – NA

## PART 4 PRINCIPAL DEVELOPMENT STANDARDS

Control	Requirement	Comments	Compliance
<b>4.3 Height of buildings</b>	<p>(1) The objectives of this clause are as follows:</p> <p>(a) a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,</p> <p>(b) b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,</p> <p>(c) c) to minimise any overshadowing of neighbouring properties,</p> <p>(d) d) to allow for the reasonable sharing of views,</p> <p>(e) e) to encourage buildings that are designed to respond sensitively to the natural topography,</p> <p>(f) f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <a href="#">Height of Buildings Map</a>.</p> <p>Maximum Height = 8.5m</p>	<p>The proposed first floor addition does not exceed the maximum building height – 8.5m.</p> <p>The maximum height from natural ground level to the proposed ridge is – 8.470m</p>	Yes
<b>4.4 Floor space ratio</b>	<p>1. The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>•</p>	<p>• NOT SHOWN IN MAPPING</p>	
<b>4.5 Calculation of floor space ratio and site area</b>	<p>1. <b>Definition of “floor space ratio”</b> The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the <i>site area</i></p> <p>1. <b>Existing buildings</b> The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings</p>	<p>The proposal has a floor space ratio of 35.75 %</p>	Yes

## PART 5 MISCELLANEOUS PROVISIONS – NA

## PART 6 RELEASE AREAS – NA

## PART 7 LOCAL PROVISIONS

Control	Requirement	Comments	Compliance
<b>7.1 Acid sulphate soils</b>	<ol style="list-style-type: none"> <li>The objective of this clause is to ensure that development does not disturb, expose or drain acid sulphate soils and cause environmental damage.</li> <li>Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulphate Soils Map as being of the class specified for those works.</li> </ol> <p><b>Class 5</b></p> <p>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	<p>There are excavations required for the new garage slab and footings to a depth to be advised by the referring Engineer.</p> <p>The Excavations will be no greater than 900mm below natural ground level.</p> <p>The existing ground level is above 5.0m AHD Any pier hole boring required will be to natural ground or rock with advice from referring Engineer</p>	Yes
<b>7.7 Geotechnical hazards</b>	<ol style="list-style-type: none"> <li>This clause applies to land identified as "Geotechnical Hazard H1" and "Geotechnical Hazard H2" on the Geotechnical Hazard Map.</li> </ol>	The property has been identified and is not in a geotechnical hazard area.	Yes

### Pittwater 21 - Development Control Plan 2014

## Section A Shaping Development in Pittwater - NA

### Section B General Controls

Control	Requirement	Comments	Compliance
<b>B3.1 Landslip Hazard</b>	All development on land to which this control applies must comply with the requirements of the <a href="#">Geotechnical Risk Management Policy for Pittwater (see Appendix 5)</a> .	The property has been identified and is not in a geotechnical hazard area.	Yes

## Section C Development Type Controls

### C1 - DESIGN CRITERIA FOR RESIDENTIAL DEVELOPMENT

Control	Requirement	Comments	Compliance
<b>C1.1 Landscaping</b>	In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.	<p>There is existing landscaping contained on the site including, trees, shrubs and gardens.</p> <p>There is a tree in the front yard which has been identified and advised for removal for the development: Refer to the attached Arborists report.</p>	Yes

<b>C1.3 View Sharing</b>	<p>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.</p> <p>The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing.</p> <p>Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials.</p> <p>Views are not to be obtained at the expense of native vegetation</p>	<p>The design of the proposed development has adhered to the guidelines in the DCP regarding height, size and bulk, and has sought to have minimal effect on the views of adjoining properties.</p> <p>The addition does not impact any significant views which are shared by the adjoining properties.</p> <p>There are no trees to be removed for the purpose of obtaining views with this development.</p>	Yes
<b>C1.4 Solar Access</b>	<p>The main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st.</p> <p>Windows to the principal living area of the proposal, and windows to the principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21st (that is, to at least 50% of the glazed area of those windows)</p>	<p>The first-floor addition has a minor impact upon the adjoining property to the south and the extent can be found on the Shadow Diagrams attached with the Application.</p> <p>Side Setbacks have been adhered to and Windows have been located to provide adequate light and ventilation whilst still providing privacy to the bedroom and living areas of adjoining properties.</p>	Yes
<b>C1.5 Visual Privacy</b>	<p>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation.</p> <p>Elevated decks and pools, verandas and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.</p> <p>Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below</p>	<p>The additional effect upon any private open space of adjoining dwellings is considered minimal. There are terraces attached to the ground floor level and a balcony on the first-floor level designed to take advantage of the local surrounding views.</p> <p>A privacy screen 1800mm high will be utilised on the first-floor balcony and the ground floor rear terrace to assist with any privacy impacts on the adjoining neighbour to the north. Privacy and overlooking from first floor windows have been minimised by the use of spacial separation and the use of highlight windows with a sill height of 1.5m from FFL</p>	Yes  Yes
<b>C1.6 Acoustic Privacy</b>	<p>Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.</p> <p>Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F(5) of the <i>Building Code of Australia</i>. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the <i>Building Code of Australia</i>).</p> <p>Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when</p>	<p>All external walls are to be insulated to reduce noise transmission.</p> <p>The site position of the proposed dwelling would suggest noise will have a minimal effect upon the dwelling and the adjoining properties.</p>	Yes


	measured from the nearest property boundary		
<b>C1.7 Private Open Space</b>	<p>Private open space shall be provided as follows:-</p> <p><u>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</u></p> <p>Minimum 80m<sup>2</sup> of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.</p> <p>Within the private open space area, a minimum principal area of 16m<sup>2</sup> with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).</p> <p>Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.</p> <p>Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access).</p> <p>A balcony located above ground level, but which has access off living areas of dwellings, can be included as private open space. The dimensions should be sufficient so that the area can be usable for recreational purposes (i.e. a minimum width of 2.4m). First floor balconies along the side boundary must be designed to limit overlooking and maintain privacy of adjoining residential properties.</p> <p>Private open space areas should include provision of clothes drying facilities, screened from the street or a public place. Shared clothes drying facilities are acceptable.</p>	<p>The site provides private open space of 198 sqm in the rear of the principle dwelling with a further 33.5 sqm of terrace which will have direct access from the new kitchen and living room and is situated with a NW orientation.</p> <p>The existing secondary dwelling contains 50 sqm of level grassed area and a further 25 sqm of paved courtyard and paths, providing 75 sqm of private open space directly accessible to the main living areas.</p> <p>There are clothes drying area included in the private open space in the rear of the property.</p>	Yes

## Section D Locality Specific Development Controls

### D5 Elanora Heights Locality

Control	Requirement	Comments	Compliance
<b>D5.1 Character as viewed from a public place</b>	Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality.	<p>The addition incorporates balconies and a modern roof form with cladding and windows which will enhance the existing external materials and textures of the existing facade. The design incorporates transitional wall elements with stepped or terraced balconies to provide interest and has a relatively low-pitched roof design.</p> <p>The development has a positive visual impact on the streetscape and is considered to complement the desired future character of the Locality.</p>	Yes
	Blank street frontage facades without windows shall not be permitted.		Yes
	<p>Walls without articulation shall not have a length greater than 8 metres to any street frontage</p> <p>The bulk and scale of buildings must be minimised.</p>		Yes



<b>D5.2 Scenic protection - General</b>	Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	The size and scale of the development ensure that the bushland landscape of Pittwater is the predominant feature.	Yes
<b>D5.3 Building colours and materials</b>	External colours and materials shall be dark and earthy tones as shown below  White, light coloured, red or orange roofs and walls are not permitted	Approval is sought for the selected wall and roof colours which utilize modern and light Colourbond themes which have become popular within the locality in recent times.  There are several properties located within the Elanora locality which have been approved recently and the owners wish seek approval to do the same.	No
<b>D5.5 Front building line</b>	Land zoned R2 Low Density Residential or E4 Environmental Living 6.5, or established building line, whichever is the greater	The proposed garage extension is sited is 8.2m from the front building line which helps provide adequate spacial relief when viewed from the street.	Yes
<b>D5.6 Side and rear building line</b>	Land zoned R2 Low Density Residential or E4 Environmental Living  2.5 to at least one side; 1.0 for other side 6.5 rear (other than where the foreshore building line applies)	The proposed dwelling is setback 1.570m from the Northern boundary and 2.500m from the Southern side boundary.  The rear setback remains the same and complies with the SEPP 2009	Yes
<b>D5.7 Building envelope</b>	Buildings are to be sited within the following envelope:  	The building envelopes shown in the diagram below, show a non-compliance with the side building envelopes  The development has considered all aspects contained in the DCP and has complied with the side setbacks and request consideration for approval be given to the development to allow the addition of the first floor as shown.	No



## Variations

Where the building footprint is situated on a slope over 16.7 degrees (i.e; 30%), variation to this control will be considered on a merit's basis.

Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.

Council may consider a variation for the addition of a second storey where the existing dwelling is retained.

## Response

The garage and extension to the existing ground floor lounge area and terraces comply with the DCP building envelope requirements.

The first-floor addition does have some non-compliance shown shaded in the diagram above.

However, the development seeks approval on the basis of allowing an appropriate size first floor plan which suits the locality, with a height and bulk that does not impact the local built and natural environment. The proposal has adequate spatial relief from the adjoining properties and the side building setbacks have been adhered. The local area also houses many homes of similar non-compliance with the building envelope.

This being said the proposal has complied with all other controls within the DCP.

## CLAUSE 4.6 –

A Request to vary the development standard has been attached with this Application.

<b>D5.9 Landscaped Area - Environmentally Sensitive Land</b>	<p>The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area</p> <p>The use of porous materials and finishes is encouraged where appropriate.</p> <p>Any alterations or additions to an existing dwelling shall provide a minimum 50% of the site area as landscaped area</p>	<p>The site plan shows alterations and additions to an existing dwelling with a proposed Landscaped area of 53.5% and includes a table identifying:</p> <ul style="list-style-type: none"> <li>Existing roofed area</li> <li>Additional roofed area</li> <li>Existing and proposed hard surface area</li> <li>Total site area</li> </ul>	<p>Yes</p>
<b>D11.12 Fences – General</b>	<p><u>a. Front fences and side fences (within the front building setback)</u></p>	<p>A new pair of rendered and painted masonry retaining walls with a terraced garden are to be constructed along the front boundary and can be seen on the attached plans.</p> <p>The front fence / walling will assist in providing planted screening level lawn and shrubs to soften the overall development.</p>	<p>Yes</p>
	<p><u>b. Rear fences and side fences (to the front building line)</u></p>	<p>The existing rear and side fences to the front building line will be retained post construction.</p>	<p>Yes</p>



## **5. CONCLUSION**

The proposed development has considered the relevant guidelines contained in the;

- Pittwater Local Environment plan 2014
- Pittwater 21 - Development Control Plan 2014

It is thought the development will have minimal impact on its surrounding natural and built environment, streetscape and general visual character and has sought to comply with the guidelines provided.

Statement Prepared by A.W. O'Brien

Completed - 1<sup>st</sup> March 2022

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