

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**TO ACCOMPANY A**

**DEVELOPMENT APPLICATION**

**FOR**

**PROPOSED NEW DWELLING AND ATTACHED  
GARAGE AND RETAINING WALLS**

**AT**

**145A CRESCENT ROAD, NEWPORT**

**LOT 1 DP 1229229**



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## **1. INTRODUCTION**

### **1.1 Summary**

NSW Planners have been commissioned to prepare a Statement of Environmental Effects in relation to a development application seeking the erection of a new dwelling, attached garage and retaining walls on land described as Lot 1 DP 1229229, 145 Crescent Road Newport (The site).

The proposed development is subject to assessment under Part 4 of the Environmental Planning & Assessment Act 1979 (EP&A Act). The following Statement of Environmental Effects will consider the potential environmental impacts of that development, having regard to the matters for consideration under Section 4.15(1) of the EP&A Act.

This Statement of Environmental Effects also addresses relevant matters under the Pittwater Local Environmental Plan 2014 and the Pittwater 21 Development Control Plan 2014. In the preparation of this SEE consideration has been given to the following documents:

- a) Plans of the proposed development prepared by Midcoast Design and Drafting dated 08.09.2020.
- b) Environmental Planning and Assessment Act 1979 ("EPAA 1979");
- c) Pittwater Local Environmental Plan 2014 ("PLEP 2014");
- d) Pittwater 21 Development Control Plan 2014 ("DCP");
- e) BASIX Certificate prepared by Midcoast Design and Drafting dated 27.10.2020.
- f) Survey Plan prepared by Adam Clerke Surveyors Pty Ltd dated 11.12.2020.
- g) Geotechnical Report prepared by GDK Keighran Geotechnics dated 30.11.2020.
- h) Arborist Report prepared by Growing My Way dated December 2020.
- i) Landscape Plan prepared by Banksia Design Group dated xx.11.2020.
- j) Planning Principles of the NSW Land and Environment Court;

## 1.2 Site Description



The site comprises land described as Lot 1 DP 1229229, 145 Crescent Road Newport. The site has an area of approximately 800m<sup>2</sup>.

The site is located on north-eastern side of Crescent Road, approximately 130 metres south-east of the intersection between Crescent Road and Beaconsfield Street. A site locality map is provided at Figure 1.1.1.

Land adjoining the eastern and western (side) boundaries of the site comprise residential allotments which are presently occupied by two-storey dwellings.

Land adjoining the northern (rear) boundary of the site comprises a two-storey dwelling house which maintains frontage to Beaconsfield Street.

Land located on the south-western (opposite) side of Crescent Road from the site comprises Crescent Reserve.

The land is presently vacant of any structures.

An existing concrete driveway traverses the land at the southern boundary of the site. This driveway provides access to the existing dwelling occupying land adjoining the eastern (side) boundary of the site. An existing pathway and stairs ascend into the site from the existing driveway.

Several mature trees are located within the southern (front) portion of the site.

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The land within the site maintains a southerly aspect, with the land rising up from the southern (primary) boundary of the site toward the northern (rear) boundary of the site.

Drainage easements run contiguous with both the northern (rear) and western (side) boundary of the site.





Figure 1 – Site Locality Map

### **1.3 History of the Proposed Development**

The site has been the subject of a recent Development Application for a very similar development which was approved under DA2018/1905 dated 12 April 2019.

Unfortunately, following the Development Consent and further investigation into the construction of the approved dwelling, it was revealed that the location of a sewer man-hole was in close proximity to the proposed western wall of the approved dwelling. This had follow on effects impacting on the structural requirements for the build and therefore it was decided that the approved design was to be modified.

A Pre-DA Meeting was organised - PLM2019/0133 on the 27 June 2019 with Daniel Miliken (Acting manager of Development Assessment) and Georgia Quinn (Assessment Officer of the previously approved DA) to determine whether or not the proposed design amendments could be approved under a Section 4.55 Modification or whether a new Development Application would be required. Due to the design being amended from a split-level dwelling to a two storey dwelling, it was determined that a new Development Application would be required, the subject of this Statement of Environmental Effects.

### **1.4 The Proposed Development**

The proposed development is for the erection of a new dwelling, attached garage and retaining walls on land described as Lot 1 DP 1229229, 145A Crescent Road Newport.

The attached garage will be constructed at ground level. The attached garage will be 7.8 metres wide by 7.8 metres deep and will have a floor area of approximately 96 metres. The attached garage will be constructed at a finished floor level (FFL) of RL 14.5m AHD. An OSD storage area is to be provided adjoining the eastern wall of the proposed garage.

The mid floor level will contain Bedrooms 2, 3 and 4, a bathroom and rumpus room as well as internal access to both the double garage and the upper floor. The FFL of the mid floor level will be set at RL17.5m. This level will have an approximate floor area of 94m<sup>2</sup>.

The upper floor level will contain Bedroom 1 and ensuite, an open plan living, dining and kitchen. A patio will extend from the north-eastern corner of the upper floor level. The FFL of the upper floor level will be set at RL20.3m. The total area of the upper floor level is approximately 120m<sup>2</sup>.

It is also proposed to erect retaining walls to the north of the dwelling within the rear portion of the land for the purposes of landscaping and to provide useable outdoor private open space. These retaining walls will be constructed to engineer's specifications where required.

The proposed dwelling has been located to enable ease of vehicle access to the site and additionally to maximise the useable, private open space to the rear of the proposed dwelling.

The proposed development is shown on plans prepared by *Midcoast Design and Drafting* (project no. 01416H (Revision 05), dated 08.09.2020) as shown in Table 1.2.1 below.

**Table 1.2.1: Applicable Plans**

Sheet No.	Sheet Name	Date
01	Site Analysis Plan & Site Plan	08.09.2020
02	Site Works Plan, Stormwater Management Plan & Western Boundary Setback	08.09.2020
03	Lower Floor Plan & First Floor Plan.	08.09.2020
04	Upper Floor Plan & Window Schedule	08.09.2020
05	Elevations	08.09.2020
06	Section A-A	08.09.2020
07	Shadow Diagrams	08.09.2020
08	Shadow Diagrams	08.09.2020
09	Sewer Main Details	08.09.2020
10	Perspective Views and Schedule of Finishes	08.09.2020
11	Revision 04/Revision 05 comparison	08.09.2020



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Perspectives of the proposed dwelling are provided at Figures 1.2.1 and 1.2.2 below.



Figure 1.2.1 – Perspective – Southern (primary) Elevation [Source- Midcoast Design and Drafting]



## 2. PLANNING INSTRUMENTS

### 2.1 Pittwater Local Environmental Plan 2014

The site is zoned 'E4 Environmental Living' under the provisions of the *Pittwater Local Environmental Plan 2014* (LEP). An extract of the zoning map can be seen in Figure 2.1.1 below.

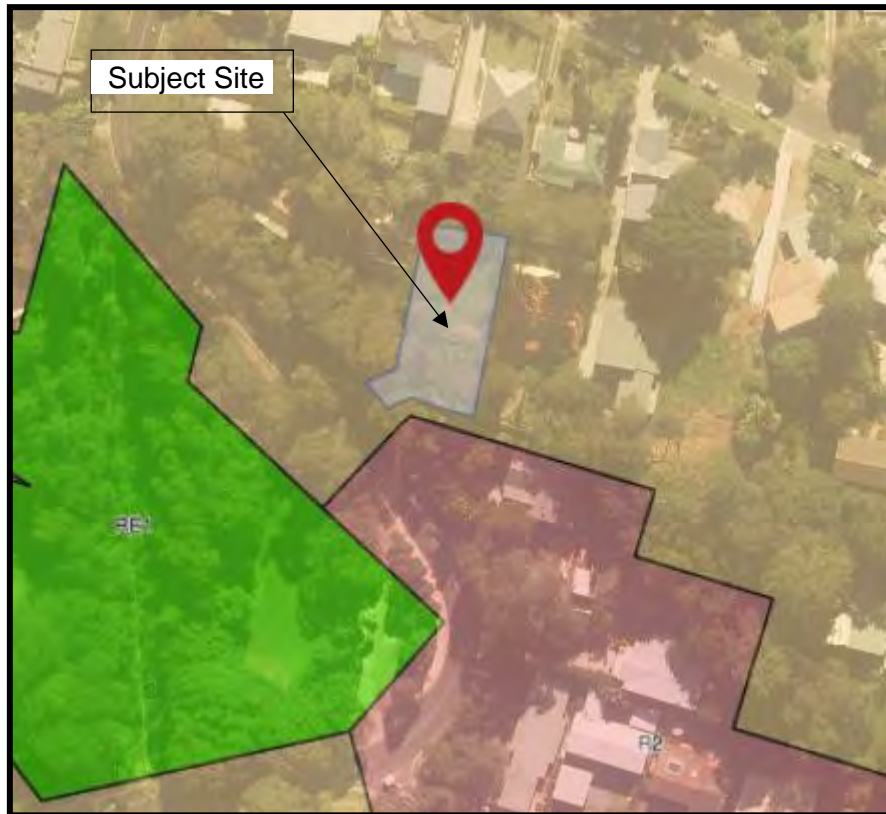


Figure 2.1.1 – Land Zoning Map Extract [Source – NSW Planning Portal]

The proposed development is for a new dwelling. "Dwelling Houses" are permitted with the consent of Council in the E4 Zone.

Clause 2.3(2) of the LEP states Council must have regard to the objectives when determining a Development Application. The objectives of the E4 Zone are:

- 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 will not have any significant adverse impacts on the ecological, scientific or aesthetical values of the land. The proposed development retains existing vegetation on the land where possible and the dwelling design incorporates materials and finishes that are sympathetic of the surrounding natural amenity and existing streetscape. The proposed development is consistent with the applicable objectives of the E4 Zone.

Table 2.1.1 below provides a summary of the relevant development provisions applying to the site.

**Table 2.1.1: Applicable Plans**

<b>Development Control</b>	<b>Control</b>	<b>Proposal</b>
<b>4.3 Height of Buildings</b>	<8.5m	<8.5m
<b>7.1 Acid Sulfate Soils</b>	Class 5 Acid Sulfate Soils	The site is shown on the Acid Sulfate Soils Map as being Class 5 land. The proposed works is not likely to lower the water table or disturb adjacent or nearby Class 1, 2, 3 or 4 lands.
<b>7.6 Biodiversity</b>	Consider objectives	See Section 2.1.1 below.
<b>7.7 Geotechnical Hazards</b>	Consider objectives	See Section 2.4.2 below.

### **2.1.1 – Biodiversity**

The site is being mapped as terrestrial biodiversity under the provisions of the LEP.

The proposed development will necessitate the removal of two mature trees within the site, however, this vegetation contains no known environmental heritage or significance.

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While these trees will require removal from the site for the purposes of the dwelling construction, the trees and their associated habitat are well represented throughout the surrounding landscape, particularly within Crescent Reserve located on the south- western (opposite) side of Crescent Road. The extent of this and any environmental issues associated with the removal of vegetation will be minimal.

The removal of any mature vegetation from the site is supported as detailed within the accompanying Arborist Report which notes that these trees were only rated with a moderate retention value due to a history of poor pruning, termite workings and comprised internal supporting wood tissue due to 'decay pathogen (fungal) activity.

## **2.3 Pittwater 21 Development Control Plan 2014**

The *Pittwater 21 Development Control Plan 2014* (DCP) applies to all forms of development within the former Pittwater LGA.

### **2.2.1 Section A4 - Localities**

The proposed development is consistent with the desired character of the Newport locality. The proposed development fulfils the criteria in that it:

- is maximum two-storey in construction;
- is supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport;
- incorporates materials and finishes that are harmonious with the surrounding natural environment;
- responds to the geo-technical hazards of the land; and
- provides generous outdoor space.

### **2.2.2 Section B3 – Hazard Control**

The subject site is identified on the Geotechnical Hazard Map under the provisions of the LEP. More specifically, the site is mapped as “Geotechnical Hazard H1” and, as such, geotechnical investigation was conducted on the site to determine the site suitability and stability in regard to the proposed development.

The accompanying Geo-technical Report Cover Letter, prepared by *GDK Keighran Geotechnics* (Ref 17100/GK/7) and dated 30 November 2020, and remains supportive of the findings from the previous Development Application, stating that “the proposed works will not affect the inherent stability of the subject property in the long term and are considered suitable for the subject property.”

The proposed development will be constructed in accordance with the requirements of the accompanying Geo-technical Report.



### **2.2.3 Section B5 - Water Management**

As can be observed in the accompanying Stormwater Management Plan (Sheet 02), the proposed dwelling will incorporate underground stormwater detention tanks with a minimum capacity of approximately 10,000 litres. Dispersal to Council's drainage infrastructure within Crescent Road will be controlled via a discharge outlet.

Downpipes supplying the rainwater tank will do so via a *first flush* device to prevent debris entering the tank.

### **2.2.4 Section B6 – Access and PArking**

Access to the proposed dwelling will be via a concrete driveway extending from the existing driveway which traverses the land at the southern (primary) boundary of the site.

The design and gradient of the proposed driveway will comply with Council's policy and the relevant Australian Standard.

The attached garage will provide adequate provision of off-street car parking. The attached garage will provide enough area to accommodate a total of two (2) off-street car parking spaces to satisfy the minimum car parking requirements prescribed by Section B6 of the DCP.

The local road network is adequate to support the proposed development and the proposed development is not likely to significantly impact on existing traffic volumes. The proposed access arrangements will not jeopardise the safe ingress and egress of vehicles to and from the site.

### **2.2.5 Section B8 - Site Works Management**

Adequate erosion and sediment control measures will be implemented before and during construction.

Construction waste will be sorted appropriately and stored within designated areas. Where possible, construction waste will be re-used on-site. Waste storage areas will be appropriately covered to minimise public litter. Waste will be recycled or disposed of appropriately off-site.

## 2.2.6 Section C – Development Type Controls

Section C of the DCP prescribes design criteria relating to residential development. Table 2.2.6.1 below details the applicable controls within Section C of the DCP and outlines their relationship to the proposed development.

**Table 2.2.6.1 – Section C Compliance**

Control	Comment
<b>C1.1 Landscaping</b>	<p>As detailed previously, the proposed development has minimised tree removal where possible. The retention of existing mature trees on the site facilitates in diluting the physical built form of the proposed dwelling.</p> <p>The proposed development is confined to the southern (front) portion of the land, resulting in sufficient deep soil zones located within the northern (rear) portion of the site.</p> <p>This development also proposes additional landscaping throughout the site to increase the residential amenity of the occupants and dilute the physical built form of the retaining walls. This landscaping also assists in maintaining visual privacy between the proposed dwelling and adjoining dwellings. Landscaping will be in accordance with the accompanying Landscape Plan (<i>Andrew Davies Landscape Design</i>, dated 16.07.2019).</p>
<b>C1.2 Safety and Security</b>	<p>The proposed development will not give rise to any significant safety and security issues.</p> <p>Windows incorporated into the southern (front) elevation of the proposed dwelling, in addition to the orientation of bedrooms accommodated within the upper floor level, will facilitate casual surveillance of the surrounding public domain,</p>

	<p>particularly Crescent Reserve located on the south-western (opposite) side of Crescent Road.</p>
<b>C1.3 View Sharing</b>	<p>The proposed development is considerate of view sharing and visual amenity will not be impeded.</p> <p>The upper floor level of the proposed dwelling will be split-level design - stepped to follow the natural contours of the land. The design will significantly reduce the extent of adverse impacts on existing views and vistas.</p> <p>The land within adjoining allotments to north and east of the site is elevated above the land within the site. Furthermore, existing dwellings occupying these adjoining lands are two-storey in construction and, therefore, any adverse impacts on existing views and vistas of adjoining dwellings attributable to the proposed development will be minimal.</p>
<b>C1.4 Solar Access</b>	<p>As can be observed in the accompanying Shadow Diagrams (Sheets 06 &amp; 07), there is unlikely to be any significant impact on solar access or overshadowing on the adjacent properties as a result of the proposed development.</p> <p>The proposed dwelling is located in a southerly direction in relation to adjoining dwellings to the west and east and, therefore, these existing dwellings are not likely to be impacted by overshadowing of proposed dwelling.</p> <p>Land immediately to the south of the site comprises an access handle and the western (front) portion of Lot 4 DP235482 (located on the southern side of the access handle). This portion of Lot 4 is vacant of any development and given the shape of the lot, this portion of Lot 4 is highly unlikely to be developed in the future. Therefore, any overshadowing cast by the proposed dwelling is not likely to negatively impact on existing or future development to the south of the site.</p>

	<p>Liveable areas within the dwelling will be orientated in a northerly direction and, in addition to the incorporation of large windows within the northern elevation of the proposed dwelling, habitable areas within the proposed dwelling will receive good solar access.</p>
<b>C1.5 Visual Privacy</b>	<p>Windows within the eastern elevation of the proposed dwelling have been limited to minimise potential visual privacy issues between occupants of the dwelling and the existing dwelling to the east.</p> <p>As can be observed in the accompanying Landscape Plan, screen planting is proposed between the western (side) boundary of the site and the western elevation of the dwelling which will facilitate in maintaining visual privacy between occupants of the dwelling and the existing adjoining dwelling to the west.</p> <p>The location of the dwelling in relation to the siting of existing dwellings to the east and west will eliminate direct line-of-sight between liveable areas within the proposed development and adjoining dwellings.</p> <p>The proposed patio extending from the north-eastern corner of the dwelling will be semi-enclosed by a roof structure. This, in addition to the natural topography of the land, will eliminate privacy issues between occupants of the patio and adjoining dwellings to the north and east of the site.</p> <p>The design, glazing and dimensions of windows and doors incorporated into the proposed dwelling will further enhance visual privacy of occupants of the proposed dwelling and adjoining residential development.</p>
<b>C1.6 Acoustic Privacy</b>	<p>The proposed development is not likely to give rise to any significant acoustic privacy issues. Noise generating activities attributed to the proposed</p>

	development will be consistent with the noise levels of surrounding uses (residential living).
<b>C1.7 Private Open Space</b>	<p>Due to the relatively steeply sloping land located at the front of the site, the provision of useable private open space has been maximised to the rear of the property.</p> <p>A proposed patio will provide an element of private open space located behind the front building line of the proposed dwelling. The use of landscape terracing to the north of the proposed dwelling will also contribute in providing useable private open space in association with the proposed dwelling.</p>
<b>C1.10 Building Facades</b>	<p>The proposed development will not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.</p> <p>The attached garage will be setback behind the front building line of the dwelling in which it is associated. This articulation provides visual relief along the southern (primary) elevation of the proposed dwelling.</p>
<b>C1.12 Waste and Recycling Facilities</b>	Adequate storage space for garbage receptacles has been designed into the appropriate areas of the proposed dwelling.

## **2.2.7 Section D – Locality Specific Development Controls**

Section D10 of the DCP provides locality specific development controls specific to the Newport locality. Table 2.2.7.1 below details the applicable development controls within Section D1 and outlines their relationship to the proposed development.



**Table 2.2.7.1 – Section D1 Compliance**

Control	Comment
<p><b>D10.1 Character as viewed from a public place.</b></p>	<p>As detailed previously, the proposed dwelling is consistent with the desired future urban character of the Newport locality.</p> <p>The proposed attached garage will not present as the dominant site feature. The attached garage will be setback behind the front building line of the dwelling in which it is associated. Furthermore, the attached garage will maintain a maximum width of &lt;7.5 metres and will not exceed greater than 50% of the entire length of the southern (primary) boundary as desired by the DCP.</p>
<p><b>D10.3 Scenic protection - General</b></p>	<p>The proposed dwelling is somewhat recessed into the slope of the site and, in addition to the upper floor level maintaining a split-level design, the bulk and scale of the proposed dwelling will not be visually dominant.</p> <p>As stated previously, the proposed development retains mature vegetation where possible and this existing vegetation will assist in diluting the visual bulk and scale of the proposed dwelling. Existing mature vegetation located between the site and Crescent Reserve located on the south-western (opposite) side of Crescent Road provides a visual buffer between users of the reserve and the proposed development.</p> <p>Finally, the proposed dwelling will incorporate dark, earthy tones which are not only consistent with the prevailing pattern of development along the existing streetscape but are also sympathetic of the surrounding natural amenity.</p> <p>The proposed dwelling is not likely to have any significant visual impact on the surrounding</p>

	<p>natural amenity, particularly that offered to users of Crescent Reserve located on the opposite side of Crescent Road.</p>
<b>D10.4 Building Colours and Materials</b>	<p>As detailed previously, the materials and finishes of the proposed dwelling are consistent with the desired future urban character of the Newport locality and are consistent with the existing development along Crescent Road.</p> <p>External colours and materials will be dark, earthy tones of low reflectivity and will be sympathetic of the surrounding natural amenity.</p>
<b>D10.7 Front building line</b>	<p>Due to the alignment of Crescent Road, which deviates in a south-westerly direction near the site frontage of the subject site, no clearly defined front building lines exist along this portion of the street.</p> <p>The slope of the land within the site precludes the ability for the proposed dwelling to maintain a similar primary boundary setback to adjoining dwellings to the east and west, without substantial excavation works for the purposes of both the dwelling and driveway construction.</p> <p>The proposed dwelling will maintain a primary setback of approximately 7.8 metres and will not inhibit the achievement of the desired outcomes of section D10.11 of the DCP.</p>
<b>D10.8 Side and Rear Building Line</b>	<p>The proposed dwelling will maintain compliant minimum side and rear setbacks in accordance with Section D10.8 of the DCP.</p>
<b>D10.11 Building envelope</b>	<p>As can be observed on Sheet 02 of the accompanying plans, the proposed development will be confined to the building envelope prescribed within Section D1.11 of the DCP when viewed from the street frontage.</p>

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<p><b>D10.13      Landscaped Area - Environmentally Sensitive Land</b></p>	<p>The total landscaped area of the site following the proposed development will be greater than 60% of the total site area.</p> <p>The proposed development will incorporate landscaping as per the accompanying Landscape Plan. This proposed landscaping will assist in reducing the physical built form of the proposed dwelling.</p>
<p><b>D10.18                  Scenic Protection          Category One Areas</b></p>	<p>The bulk, scale and finishes of the proposed dwelling are consistent with the existing streetscape.</p> <p>The materials and finishes (earthy tones) are sympathetic of the surrounding natural amenity and assist in reducing the visual prominence of the proposed dwelling.</p> <p>As detailed previously, the proposed development is consistent with the bulk and scale of the existing streetscape and, as such, the visual dominance of the proposed development is reduced.</p>

### 3. LIKELY ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACTS.

The site is located within an established residential neighbourhood and is one of the last vacant allotments within the immediate vicinity of the site. While the site is mapped as being geo-technical hazard, this hazard is manageable within the existing planning framework and the site is considered suitable for the proposed development. Furthermore, the site benefits from an existing driveway which will facilitates access to the proposed dwelling.

The proposal is consistent with the objectives of adopted planning policies. Approval of the development does not raise any issues contrary to the public interest.

The potential environmental impacts of the proposed development are considered in Table 3.1 below.

**Table 3.1: Summary of Environmental Impacts**

Matter	Impact
Waste Management	Operational waste management will continue as existing.
Bushfire	The site is not bushfire prone
Flooding	The site is not flood prone.
Contaminated Land	The land within the site is not classed as 'contaminated land'.
Flora & Fauna	The development proposal is on an existing vacant site, however construction is situated on a sparsely vegetated portion of the site. Any required tree or vegetation removal has been approved in the accompanying Arborsit Report.
Aboriginal Cultural Heritage	No known items on or near the site.
Environmental Heritage	The subject site is not located in a Heritage Conservation Area and does not contain a Heritage Item.

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<b>Traffic</b>	There will be no impacts on traffic subsequent to the proposed development.
<b>Socio and Economic</b>	There will be positive social and economic impacts attributed to the proposed development.



## **4. CONCLUSION**

The site comprises land described as Lot 1 DP 1229229, 145 Crescent Road Newport. The site has an area of approximately 800m<sup>2</sup>.

The proposed development is for the erection of a proposed new dwelling and attached garage on land. The proposed development is shown on plans prepared by *Midcoast Design and Drafting* (project no. 01416H (Revision 05), dated 08.09.2020).

The proposal demonstrates compliance with the objectives and provisions of E4 Zone and addresses the matters for consideration contained within the DCP.

There are not likely to be any significant environmental impacts associated with the proposed development.

The site is suitable for the proposed development and the proposal is consistent with the public interest.

As stipulated previously in this report, the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed demonstrating the proposed development is compatible with the surrounding environment.

A handwritten signature in black ink, appearing to read 'DMU' with a stylized flourish extending downwards.

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