

STATEMENT OF ENVIRONMENTAL EFFECTS

NORTHERN BEACHES COUNCIL

PROPOSED ALTERATIONS AND ADDITIONS TO TWO STOREY  
EXISTING RESIDENTIAL DWELLING

231 HUDSON PDE, CLAREVILLE

OWNERS: VIRGINIO & ANTONINA MAUTONE

LOT 70/DP 13760

**prepared by:**

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## 1. Introduction

This Statement of Environmental Effects supports a Development Application to Northern Beaches Council for the Alterations and Additions to an existing Two Story Dwelling at Lot 70 DP13760, 231 Hudson Pde, Clareville. The following plans and documentation accompany the application. Drawings 01-05, Geotech Report from Ascent Geotech and Waste Management Plan.

The Development Application has been considered under the relevant environmental planning instruments and policies. This includes:

- *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*
- *State Environmental Planning (Coastal Management) 2018*
- *Biodiversity Conservation Act 2016*

## 2. Site Description and Location

The subject site consists of one allotment located on the northern side of Hudson Parade, Clareville.

The site is elevated approximately 6m above the roadway, with access to the site being provided via pedestrian access stairs and a shared driveway. The site is irregular in shape with a frontage of 15.24m and respective depths of 42.69m and 48.95m along the western and eastern side boundaries. The site has a surveyed area of 696.3sqm.

The site is located within the C4 Environmental Living zone pursuant to Pittwater LEP 2014 and accommodates a part 1- 2 storey dwelling house. There are well established native canopy trees of significant size on the site, including species representative of the endangered Pittwater Spotted Gum Forest, and areas of garden vegetation. The site slopes away from the north-eastern rear corner towards the southern front boundary, representing an approximate fall of 12 m. The site is environmentally constrained with geotechnical hazards

The figures on the following pages depict the character of the property and its existing development.

Fig 1: Aerial View of Subject Site (source spatial view)

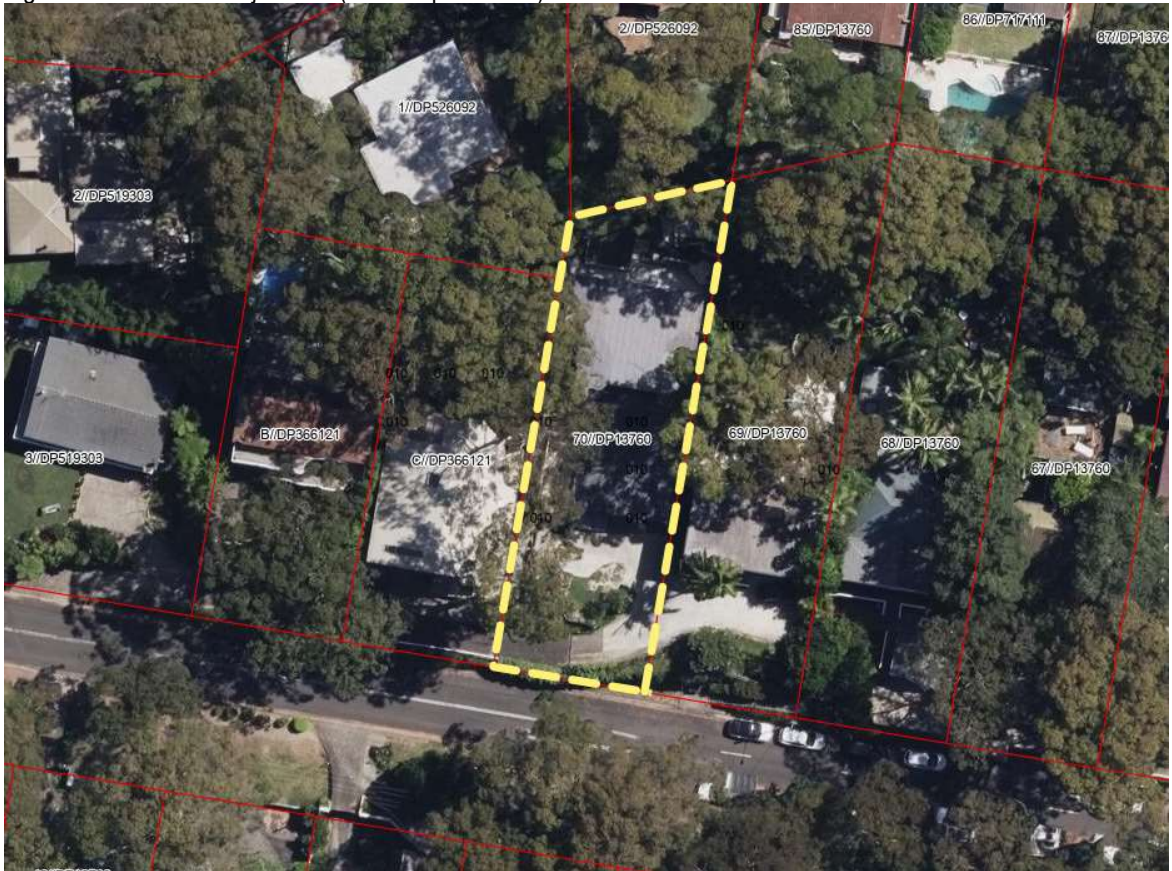


Fig 2: View of Front of Site from Hudson Pde Circled in Red (source google maps)

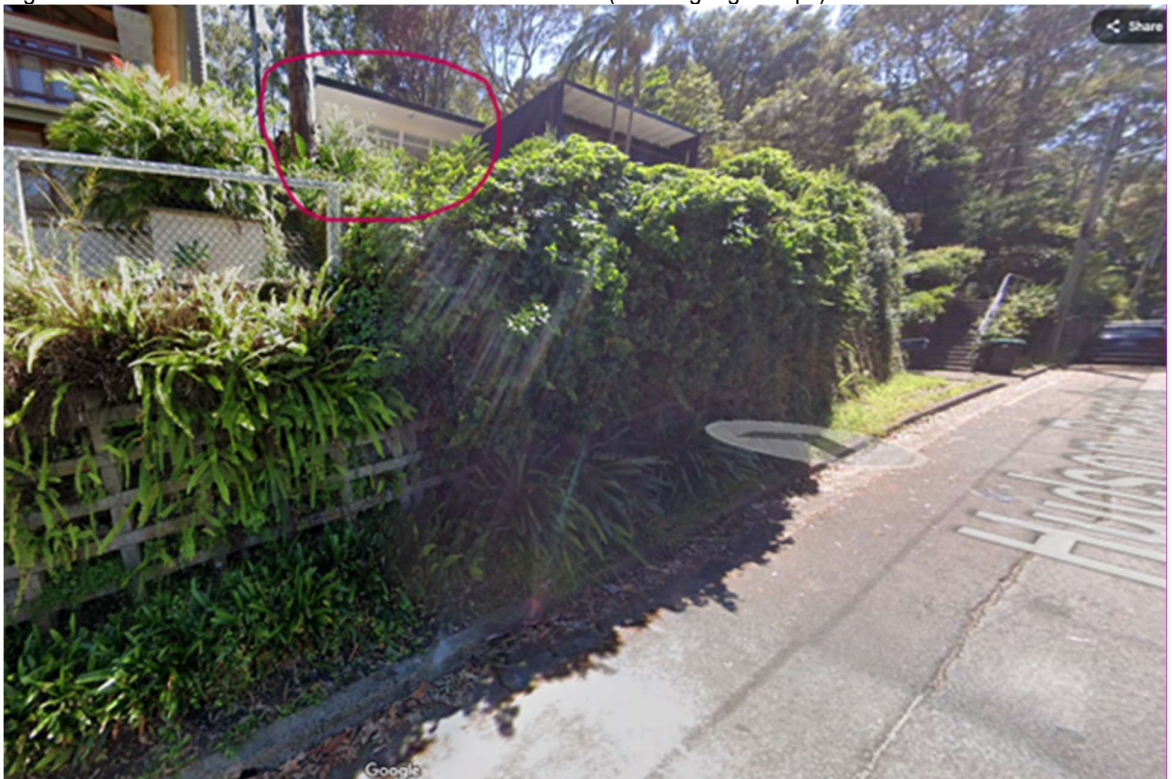




Fig 3: View of Front Of Dwelling



Fig 4: Existing Paved Balcony where the Pergola is Proposed



### 3. Development Proposal

The proposed development seeks to:

#### Ground Level

- Increase the floor area of the existing double garage by constructing sandstone clad masonry columns with concrete slab above. Two automatic garage doors are proposed.
- The new slab over the garage entrance to be tiled to match the existing paved balcony extending the glass balustrade across the front elevation as required by the NCC.
- Construction of a timber pergola with colourbond metal roof and lined to the underside with VJ FC boards and skylights located the existing paved courtyard/Balcony that extends in front of the existing open plan living and dining area.

The alterations and additions have been designed to ensure that the functionality of the dwelling is improved, while minimising impacts on the surrounding natural environment and adjoining properties.

### 4. Zoning and Development Controls

#### 4.1 State Environmental Planning Policies

##### 4.1.1 State Environmental Planning Policy - BASIX

The proposed alterations and additions is not BASIX affected development as the works are valued below \$50000.

##### 4.1.2 State Environmental Planning Policy - Coastal Management 2018

A small portion of the subject site, approximately 30sqm of the 696.3sqm site area, or 4%, and located at the southern boundary adjoining the Hudson Road reservation, has been included on the Coastal Environment Area Map and Coastal Use Area Map. This land is subject to the provisions of the Coastal Management Act 2016 (CM Act) and Statement Environmental Planning Policy (Coastal Management) 2018.

State Environmental Planning Policy (Coastal Management) 2018 was gazetted on 23 March 2018. Clause 13 must be taken into consideration by a consent authority when it determines a development application to carry out development on land to which the policy relates.

Notwithstanding the Coastal Environment Area Map and Coastal Use Area Map including a small portion of the subject site, this portion includes the existing access stairs from Hudson Parade, existing rock outcrops, some existing vehicle driveway paving and landscaping. No works are proposed within this area of land, which will be retained in its present state.

As such the Da satisfies requirements under clauses 13,14 and 15 of the Coastal Management SEPP.

#### 4.2 Pittwater Local Environmental Plan 2014

The site is zoned E4 Environmental Living under the provisions of the PLEP 2014. Development for the purposes of construction of alterations/additions to an existing dwelling and construction of a secondary dwelling is permissible with the consent of Council within the E4 zone.

The relevant provisions of the PLEP which relate to the proposed development are detailed in the attached table:

Clause	Standard	Proposal	Compliance
Zone E4 Environmental Living			Complies
Clause 4.3 Height of Buildings	8.5m	5.83m pergola Height. Existing dwelling height is unchanged	Complies
Clause 7.1 Acid Sulfate Soils	The site is nominated as Class 5 Acid Sulfate soils	The site is nominated as Class 5 Acid Sulfate soils. The proposed works are minor and are not likely to lower the water table more than 1 metre below the natural ground surface.	Complies
Clause 7.2 Earthworks		No earthworks are proposed to prepare the site for construction. Standard erosion and sediment control measures will be implemented to ensure best practice procedures are followed.	
Clause 7.6 Biodiversity	No adverse Impact on the existing biodiversity of the site	Min impact as works occur over existing hsa with min disruption. See discussion below.	Complies
Clause 7.7 Geotechnical Hazards	The site is located within the geotechnical hazard zone H1.	A geotechnical report accompanies the application demonstrating compliance with this clause.	Complies
Clause 7.10 Essential Services		All essential Services are existing on the site	Complies

### Clause 7.6 Biodiversity Protection

The land is noted within Council's Biodiversity mapped area.

*(1) The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:*

- (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 habitats.*

The development will not see any substantial disturbance to the existing flora, with no significant trees or natural vegetation to be removed.

As the works will not see a substantial reduction in the landscaped area, the proposal will not have an adverse impact on the terrain of the site. In this instance, the Objectives of Clause 7.6 will be achieved.

### Clause 7.7 Geotechnical Hazard

The subject property is highlighted as Geotechnical Hazard H1 on the Geotechnical Hazard map forming part of the PLEP. A Geotechnical report by Ascent Geotechnical has been prepared and accompanies the development application. A Stormwater Concept plan also accompanies this application to demonstrate the correct

management of wastewater, stormwater and drainage across the land so as not to affect the rate, volume and quality of water leaving the land.

## **5.0 Pittwater Development Control Plan 2014**

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D3 Bilgola Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

### **5.0.1 Section A Introduction**

#### *A4.3 Bilgola Locality*

*The Bilgola locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary Dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.*

It is considered that the proposal is consistent with the desired character of the locality by maintaining the presence of a two storey dwelling set amongst landscaped gardens. The development is considered to be compatible with the existing surrounding development, in terms of bulk and scale. It is considered that the proposal will sit comfortably within the site, not be visually dominant from Hudson Pde and achieves the desired future character of the locality

### **5.0.2 Part B General Controls**

The General Controls applicable to the proposed dwelling are summarised as:

#### **B1 Heritage Controls**

The site is not located in a heritage conservation area or immediately adjacent any heritage items.

#### **B1.4 Aboriginal Heritage Significance**

The site is not known or anticipated to be home to any aboriginal relics. Should any objects be discovered during construction, appropriate measures will be taken according to NSW Office of Environment and Heritage.

#### **B3.1 Landslip Hazard**

The site is identified on Council's Geotechnical Hazard Map as 'Hazard H1'. Accordingly, a Geotechnical Assessment has been prepared by **Ascent Geotechnical Group**. Subject to compliance with the recommendations contained within the report, the proposal will satisfy the provisions of this clause.

#### **B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor**

The controls seek to achieve the outcomes:

*Conservation, enhancement, and/or creation of habitats for locally native flora and fauna to ensure the long-term viability of locally native flora and fauna and their habitats. (En)*

The proposal will not see any change to the existing hard surface area, with the proposed new pergola and extension of the garage over an existing driveway. The proposal is therefore not considered to have any implications for the biodiversity of the site.

### **B5.15 Water Management**

The site is connected to the reticulated sewer system.

The application is supported by Stormwater Management Plans which demonstrate consistency with Council's Water Management Policy.

### **B6.3 Off-Street Vehicle Parking Requirements – Low Density Residential**

This control seeks to achieve the outcome:

*Safe and convenient parking. (S)*

The development proposes to retain the existing driveway crossover from Hudson Pde and the existing double garage satisfying 2 onsite carparking spaces.

### **B8.1 Construction & demolition – Excavation and Landfill**

The controls seek to achieve the outcomes:

*Site disturbance is minimised.*

*Excavation and construction not to have an adverse impact.*

*Excavation operations not to cause damage on the development or adjoining property.*

No excavation is proposed.

### **B8.2 Construction & Demolition – Erosion and Sediment Management**

The controls seek to achieve the outcomes:

*Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En) Reduction of waste throughout all phases of development. (En)*

*Public safety is ensured. (S)*

*Protection of the public domain. (S, En)*

The proposal will incorporate Erosion and Sediment Management Plan will be provided and implemented prior to works commencing on site.

### **B8.3 Construction & Demolition – Waste Minimization**

The controls seek to achieve the outcomes:

*Reduction management of demolition, excavation and construction works is to be minimized by reuse on-site, recycling, or disposal at an appropriate waste facility. (En)*

A Waste Management Plan accompanies this DA that details the estimated waste generated by this proposal which outlines the ability to reuse on-site, recycle, or disposal at an appropriate waste facility.



### **5.0.3 Part C Design Criteria**

The Design Criteria applicable to the proposed development and are summarized below as:

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

The proposed development will have no impact on the existing landscaping calculations for this site. As the works are proposed over existing hard surface area no trees or vegetation are proposed to be removed. Refer to the accompanying site plan and landscape plan for further details on the proposed works.

#### **C1.2 Safety and Security**

The proposed works to the existing dwelling will not impact on the existing safety or security of the site. Views from within the dwelling to the entrance driveway and footpath will be maintained.

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

The subject and adjoining properties on the northern side of Hudson Pde currently enjoy a district and water views to the southwest towards Pittwater. The proposed alterations and additions have been considered carefully to maintain the form of the existing dwelling and will not result in any unreasonable impacts on views.

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

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid-winter.

The Proposal does not seek to raise the height of the existing structure above the existing max height. The additional structure proposed sits to the west of the existing structure and therefore will not affect the shadowing to the property dwelling to the south of the site.

Therefore, shadow diagrams have not been provided.

Given the north south orientation of the allotment and the existing slope of the land from North to South the proposal maintains 3 hours of solar access to the private open space and east face living areas of the adjoining properties.

The proposal complies with the requirements of this clause.

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

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

The houses here are well spaced and each has its own panoramic outlook, however further enhancement of the visual privacy of the existing house and its neighbours has been considered.

All proposed works are located within the Lower Ground Floor level and Ground Level of the existing dwelling, and within the existing footprint of the existing dwelling. As no additional building height or envelope is proposed, there will be no impact on existing visual privacy.

#### **C1.6 Acoustic Privacy**

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

The houses here are well spaced and there are no major changes planned for the existing private open space that would affect the neighbouring properties acoustic privacy.

#### **C1.7 Private Open Space**

The required controls to achieve the outcomes are to ensure that dwellings are provided suitable private open space with an area and at a grade which will facilitate outdoor private recreation.

The principal dwelling on site has ample open space through the provision of the existing balcony to the south west elevation which flows from the existing living, dining and kitchen area.

The proposal complies with the requirements of this clause.

#### **C1.9 Adaptable Housing and Accessibility**

Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.

#### **C1.12 Waste and Recycling Facilities**

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible. This is detailed further in the accompanying Waste Management Plan. The existing dwelling has appropriate waste storage areas which will be retained with the alterations and additions proposed.

#### **C1.13 Pollution Control**

The proposed alterations have been designed and is to be constructed, maintained, and used in a manner to prevent air, water, noise and land pollution.

### **4.2.3 Part D Design Criteria - D1 Bilgola Locality**

#### **D3.1 Character as viewed from a Public Space**

It is considered that the proposed dwelling alterations and additions are compatible with the requirements and objectives of this clause for the following reasons:

- The proposal provides for an addition to an existing two storey dwelling which does not impact the view from the street as the proposed works are minor in nature and only improve the façade of the dwelling. This is compatible with the existing surrounding development in terms of bulk and scale.
- The proposal provides for materials that are compatible with the existing surrounding development and the natural environment.

#### **D3.3 Building Colour and Materials**

Existing Walls: Off White painted brickwork and masonry.

Proposed: Painted Timber framed pergola to match existing dwelling colour scheme.

Roofing: Colourbond roofing to match existing in a mid grey tone

New Masonry and concrete as required to be finished in sandstone rockface cladding in keeping to match the surrounding natural landscape.

See the finished schedule attached to the plans for reference.

#### **D3.6 Front Building Line**

The DCP requires a front setback of 6.5 metres to Hudson Parade or the established building line (whichever is greater).

The proposal setback is 13.7m therefore satisfies this requirement.

#### **D3.7 Side and Rear Building Line**

Generally, the numerical requirements of this clause require a setback of 2.5m to one boundary and 1.0m to the other boundary. A setback of 6.5m is required to the rear boundary.

Existing (established) rear northern side set back to the dwelling of approx. 10.2m which satisfies the requirement.

The Western Side Boundary is approx. 1.167m, therefore satisfies the 1m side boundary requirement.

The Eastern Side Boundary existing is 1.89m to the North of the site and 1.25m to the South end of the building line where the proposed pergola is to be located. However, the building works proposed sit over the existing dwelling footprint and do not propose to build outside of established setbacks.

**D3.9 Building Envelope**

The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45°. The proposal satisfies this control.

**D3.10 Landscaped Area - Environmentally Sensitive Land**

A landscaped area of 60% is required in the E4 Zone, which equates to 417.7m<sup>2</sup> for the site area of 696.3m<sup>2</sup>. The proposed works are located over existing hard surface areas and the existing landscaped area will not be changed.

**D3.14 Construction, Retaining Walls, Terracing and Undercroft areas.**

The construction of the pergola and garage extension will not require any substantial site disturbance.

The new works will be designed in accordance with the directions of the Structural Engineer.

## **5. EP & A ACT - SECTION 79C**

### **The Provisions of any Environmental Planning Instruments**

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014, Pittwater 21 Development Control Plan 2014 and SEPP Infrastructure.. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

### **The Likely Impacts of the Development**

It is considered that the development provides for alterations and additions to an existing dwelling without detrimentally impacting on the character of the area. In this respect the development results in a two storey dwelling that is considered to be consistent with the existing dwelling houses and the desired future character in this locality in terms of bulk and scale.

### **The Suitability of the Site for the Development**

The subject site is zoned E4 Environmental Living and the construction of alterations/additions to an existing dwelling and secondary dwelling in this zone is permissible with the consent of Council. The dwelling is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

### **The Public Interest**

It is considered that the proposal is in the public interest in that it will provide alterations and additions to an existing dwelling and pool that is compatible with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

## **6. ADDITIONAL CONSIDERATIONS:**

### **Existing Infrastructure**

Given the nature of the proposal, the proposed alterations and additions to the existing dwelling will have little effect on the existing infrastructure services related to the subject site.

### **The Building Code of Australia**

As noted on the drawings and specification all aspects of the works shall comply with the deemed to satisfy provisions of the Building Code of Australia. The requirements include site preparation, footings and slabs, masonry construction, framing, roof and wall cladding, glazing, fire safety, bushfire, health and amenity, safe movement and access.

### **Site Works Management**

During the works adequate measures shall be installed on site to minimise the processes of soil erosion and maintain water quality. As indicated on the Site Plan the builder is to provide a barrier to the low side of any works to the satisfaction of council.

### **Stormwater/drainage**

The site slopes to the front of the property where run-off is currently absorbed by the existing working drainage system and landscaped/terraced gardens.

Any new stormwater is to be connected to the existing stormwater system currently on the site. It is to comply with Council's requirements and not adversely affect the adjoining properties.

### **Geotechnical Hazard**

Please refer to the Geotech report that has been provided by that addresses the provisions of this clause. A Structural Engineer will be engaged to design all structural works.



**Conclusion**

The proposal for alterations and additions to the lower ground and ground floor of this two storey dwelling have been designed with regards for the amenity to the adjoining dwellings and natural features of the site.

The proposal involves minor areas of non-compliance, nominally the landscaping % and west side setback. We ask that Council apply flexibility in this regard, consistent with the provisions of 4.15(3A)(b) of the EP&A Act, noting that the outcomes of this controls is nonetheless achieved.

The proposed development complies with the relevant requirements and underlying objectives of the relevant Pittwater Council DCP guidelines and LEP.

The scale, height, form & size of the development are reasonable for the site and context and here will be no adverse effect on the amenity of the area. The proposal will complement the existing dwelling and landscape. Having regard to the above assessment, the issue of Development Consent under the delegation of Council is requested.