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STATEMENT OF ENVIRONMENTAL EFFECTS



DEVELOPMENT APPLICATION **42 Adams Street Curl Curl NSW**

Demolition of existing carport and front fence, construction of new carport, pedestrian entry and bin store area.

Issue: C
Date: 12.04.2021



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DEVELOPMENT APPLICATION DETAILS

APPLICANT: J Bastian (Bastian Architecture Pty Ltd)

For

OWNERS: Stephen Bastian

SUBJECT LAND: 42 Adams Street Curl Curl

LOT DESCRIPTION: Lot 2 DP 5539

PROPOSED DEVELOPMENT: Demolition of existing carport and front fence, construction of new carport, pedestrian entry and bin store area.

ENVIRONMENTAL PLANNING INSTRUMENT: Warringah LEP 2011

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REPORT PREPARED BY

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1.0 SUMMARY

This Statement of Environmental Effects (SEE) has been prepared in support of a Development Application submitted to Northern Beaches Council for alterations and additions to a single story free-standing dwelling on land at 42 Adams Street Curl Curl. Throughout this SEE it is demonstrated and evident that the proposed development is generally consistent with the objectives of the relevant policies and plan.

The preparation of this Statement is pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2000. It provides for an assessment of the development proposal, having regard to relevant legislation, contextual analysis, social, economic and environmental impacts, potential amenity impacts on the surrounding locality and the measures proposed to mitigate impacts.

The following document schedule is referred throughout this SEE:

Document	Plan No/Rev	Author	Date
Architecture - Drawings	DA01-DA10/01	Bastian Architecture	30.03.2021
Stormwater Plan	DA11/01	Bastian Architecture	30.03.2021
Survey	4102/20	Eric Scerri + Associates	27.04.2020
Basix Certificate	N/A	Not required, works <\$50,000	
Cost Summary Report		Bastian Architecture	19.03.21
Waste Management Plan		Bastian Architecture	19.03.21

2.0 SITE ANALYSIS

2.1 SITE LOCATION + CONTEXT

The subject site known as Lot 2 DP 5539 is located on the southern side of Adams Street Curl Curl. The site is zoned R2 Low Density Residential under Warringah LEP 2011, has a maximum permissible height of building (HOB) control of 8.5m, and the Floor Space Ratio is not stated.

The site has an area of 459.8m² with a significant fall from the rear boundary to the street frontage.

Currently the site accommodates a single freestanding dwelling with a single off-street carport on a driveway forward of the building line. The vehicle crossover is located to the western side of the southern boundary of the site.



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Figure 01 – Subject site aerial map (Source: Google maps)

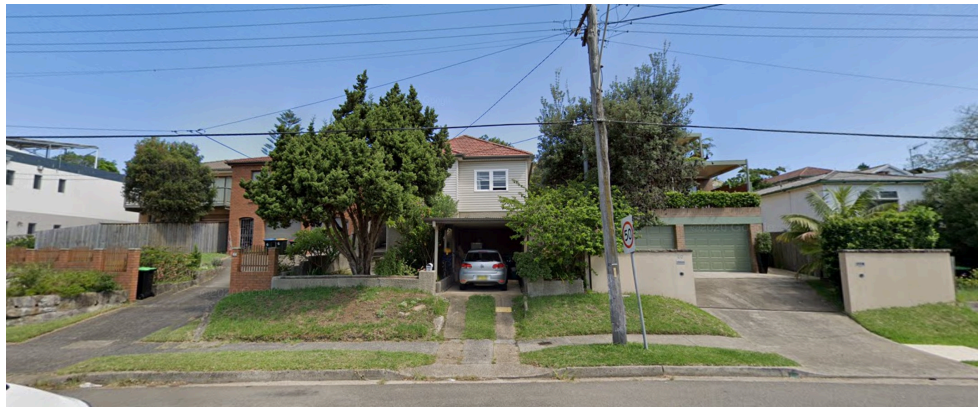


Figure 02 – Subject site street view with 44 (left) and 40 (right) of subject site (middle).
(Source: Google maps)

2.2 PLANNING HISTORY OF SUBJECT SITE

The subject site presently contains a single story weatherboard and tile free standing house with modifications to the rear in the form of a lightweight single story lean-to.

Adjoining the site are two two-story brick houses dwellings with concrete driveway crossovers for vehicle access.



3.0 PROPOSED DEVELOPMENT

This Development Application is seeking the following proposed development:

- Demolition of existing single car carport
- Demolition of existing front fence,
- Erection of new single car carport
- New pedestrian entry
- New bin store
- New covered scooter store

4.0 LEGISLATIVE FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

The following are to be considered in the assessment of this development application in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act).

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

The proposal is subject to the [Warringah](#) Local Environmental Plan (LEP) 2011 and associated [Warringah](#) Development Control Plan 2011.

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

4.3.1 STATE ENVIRONMENTAL PLANNING POLICY – BUILDING SUSTAINABILITY INDEX (BASIX) 2004

The proposal involved alterations and additions to a residential dwelling which does not exceed \$50,000 in value, as such no BASIX Certificate has been provided.

4.3.2 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 site has been in residential use since its original subdivision. Prior to this the site was cleared for grazing. There is no evidence of any potentially contaminating uses occurring. It can be concluded that there is no likelihood of contamination on this site and the site will continue to be suitable for residential purposes. No further consideration is therefore required under clause 7 (1) (b) and (c) of SEPP 55.



4.4 **WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011**

The site is zoned R2 Low Density Residential under the provisions of the Warringah Local Environmental Plan 2011. The objectives and permissibility provisions of the zone are:

Zone R2 Low Density Residential

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 ensure that low density residential environments are characterised by landscape setting that are in harmony with the natural environment of Warringah.
-

Permitted without consent

Home based child care, home occupations

Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals.

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4.4.1 **RELEVANT LEP CLAUSES/DEVELOPMENT STANDARDS**

Note: only relevant controls have been considered.

Clause No. Standard/Control	Complies	Comment
Part 4 Principal Development Standards		
Clause 4.3 Height of Buildings (8.5m)	Yes	The proposed works do not increase the approved overall height of the building. The maximum height of the existing building 7m which complies with the control
Clause 4.4.(2A) (b) Floor Space Ratio (not prescribed)	Yes	The proposed works do not change the Gross Floor Area of the dwelling, the FSR remains the same as the FSR of the approved development 0.17:1. There is no prescribed FSR for this site.
Part 6 Additional Local Provisions		
Clause 6.1 Acid Sulfate Soils	N/A	The site is not mapped as affected land and not in the vicinity of any ASS affected land.
Clause 6.2 Earthworks	Yes	The earthworks proposed are of a minor nature and will not have a detrimental impact



		on surrounding land.
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5.0 Section 4.15 (1)(a)(ii) DEVELOPMENT CONTROL PLANS

Warringah Development Control Plan 2011 – Compliance Table

Note: only relevant controls have been considered

Clause No. Standard/Control	Complies	Comment
Part B Built Form Controls		
B1 Wall Heights	Yes	The proposed development does not result in a wall height of more than 7.2m. The proposed carport is open to three sides with a height of 3.3m at its highest point.
B2 Number of Storeys	Yes	The proposed development does not increase the number of stories, the building remains a single storey building, this complies with the maximum number of storeys which is 2.
B3 Side Boundary Envelope	Yes	The only encroachment into the side setback is for the side awning over the scooter and bin store area. This is allowable as per the DCP.
B4 Site Coverage	Yes	The building footprint does not exceed 33.3% of the site area. The building footprint is 80m ² (17% of the site), 58% of the site is deep soil landscaping.
B5 Side Setbacks	Yes	No part of the dwelling house encroaches on the side setback. The proposed pergola over the bin and scooter store is ancillary to the dwelling and as per the DCP may be allowed to encroach on this setback.
B7 Front Boundary Setbacks	No	The proposed carport does not comply with the required 6.5m setback however it does match the existing carport. Given the siting of the existing house it is not possible to relocate the carport to a location behind this setback. Due to the elevated street frontage the proposed carport is not dominant.
B9 Rear Boundary Setbacks	Yes	There is not change to the rear boundary setback, the existing setback is 23.7m, well exceeding the 6m rear setback required.
Part C Siting Factors		
C2 Traffic, Access and Safety	Yes	There is no change to the vehicular access to or from the site. Visibility to and from the car is good due to the wide verge between road and

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		carport. There is no change to the vehicular crossing. There is an improvement to the pedestrian access to the site as it is provided separate to the vehicular access, thus improving safety for those arriving by foot.
C3 Parking Facilities	Yes	Location and number of parking spaces is not changed, there is no change to the views from the front windows to the street. The front vehicular gate provided is 50% open to maintain a visual connection to and from the site will increase security for the owners.
C4 Stormwater	Yes	New roof areas are connected to existing stormwater located on the property.
C7 Excavation and Landfill	Yes	Excavation proposed is minimal in the front yard and required only for new structural footings, otherwise ground levels remain similar to existing.
C8 Demolition and Construction	Yes	Refer Waste Management Plan. Any asbestos found on site will be removed in accordance with Australian Standard AS2601-2001. The existing roofing of the carport is likely to be asbestos and so the removal of this and erection of a new carport will improve the environment for the owners + neighbours.
C9 Waste Management	Yes	Refer Waste Management Plan
Part E The Natural Environment		
E1 Preservation of Trees or Bushland Vegetation	Yes	No tree removal forms part of this application: Pine tree to front yard. Species is not native, tree is not suitable for location, root system has significantly damaged existing brick fence. The tree is noted as an exempt tree species and can be removed without consent.

6.0 LIKELY IMPACTS OF THE PROPOSAL

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.



Excavation will be undertaken in accordance with standard Council conditions of consent and within nominated working hours. Construction noise associated with the 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.

Any proposed excavation will not result in any pollution or siltation of any waterway or pose a threat to ecological communities or their habitats. Appropriate sediment and erosion control measures will be adopted during site works and the existing Stormwater system will be protected during works

The above analysis demonstrates that the proposals will have no adverse Environmental Impact and therefore satisfies this section of the Act.

7.0 CONCLUSION

The proposed modifications dwelling are minor and improve the overall design, planning and functionality of the building with minimal impact to neighbouring dwellings. The removal of the carport will eliminate an asbestos roof and provide a much safer environment for the owners and neighbours.

The proposal complies with all relevant LEP and DCP objectives, or where a non-compliance is 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.

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