



STATEMENT OF ENVIRONMENTAL EFFECTS

Ground floor alterations and first floor addition to existing dwelling

ADDRESS -

5 Roches Avenue, Bayview
(Lot 3 in DP 334910)

DATE -

October 2022

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REPORT

1 PURPOSE OF THIS REPORT

This statement provides an opinion, in addition to relevant information for the consent authority to assess and determine the subject development application including the following:

- A site analysis of the site and surrounding lands.
- Description of the proposed development.
- Evaluation of the proposed development against legislative and policy framework.
- Conclusion.

The Statement of Environmental Effects is prepared in accordance with Schedule 1 of Environmental Planning and Assessment Regulation 2000 for the purposes of demonstrating that the environmental impact of development has been considered against the relevant controls and to outline steps to be undertaken to protect the environment or to mitigate any potential harm.

The development is local development as defined by the Environmental Planning and Assessment Act 1979 and as such Northern Beaches Council is the consent authority. Previous amalgamation of Pittwater, Warringah and Manly Council is noted with transition regarding planning controls currently being implemented, with the site still subject to planning provisions of the former Pittwater Council.

2 THE SITE AND ITS CONTEXT

The site, legally defined as Lot 3 in DP 334910 (5 Roches Avenue, Bayview) is located on the southern side Roches Avenue, between the intersections of King Edward Avenue to the southeast and Fermoy Avenue to the west. The site is irregular in shape with a frontage of 22.555m, depth of 38.445m (east), 39.38m (west) and rear boundary of 15.25m, yielding a site area of 731.2m². With respect to topography, the site experiences a fall of approximately 3.9m from rear boundary (21.87AHD) down towards the street (18AHD).

Situated on site is a detached dwelling that provides two storey component adjacent to the western boundary, noting lower-level garage (finishes comprise painted render to external walls and traditional pitched tile roof). A patio area is provided to the rear of the dwelling with adjacent retaining wall and steps leading up to a consolidated landscape area which provides scattered planting though nothing of any significance. Presence of a small garden shed adjacent to rear southeast corner is also noted.

Surrounding development comprises detached dwelling houses of single and two storey construction of varied design, form, and finish.



Figure 1 - Subject Site (source - NSW Planning Portal)

3 PROPOSED DEVELOPMENT IN DETAIL

Council's consent is sought for the following works:

- Reconfiguration of ground floor plan to provide an internal access stair to the proposed first floor.
- Construction of a first-floor addition comprising two (2) bedrooms, bathroom, and family room. A balcony is also provided forward of the family room to the front façade of the dwelling. The entire roof of the dwelling is also to be updated with colorbond 'Classic Cream' incorporated.



Figure 2 - Site Plan (source - Extend A Home Constructions)

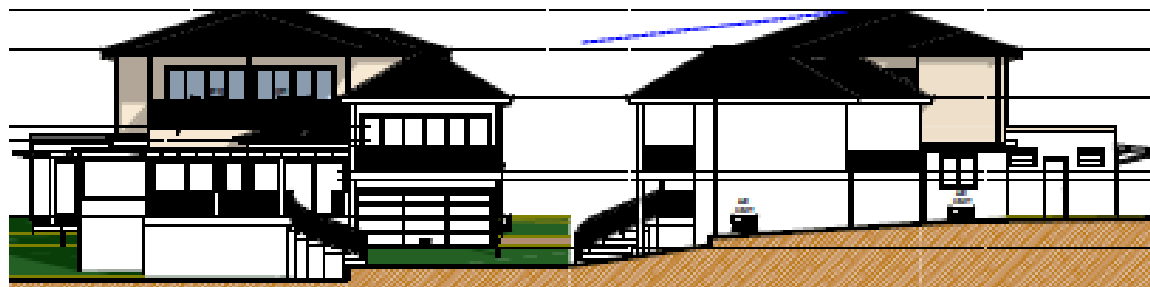


Figure 3 - Northeast (front) and Northwest (side) elevations (source - Extend A Home Constructions)

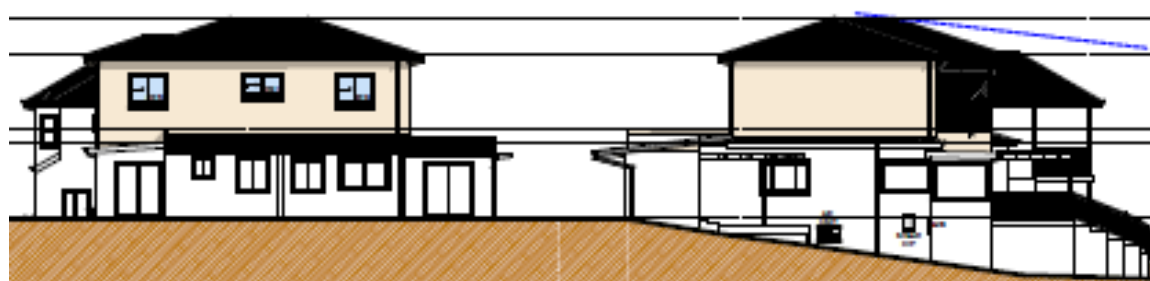


Figure 4 - Southwest (rear) and Southeast (side) elevations (source - Extend A Home Constructions)

4 ASSESSMENT UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

4.1 (a) the provision of: (i) any Environmental Planning Instruments

4.1.1 State Environmental Planning Policies

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") applies to the proposed development.

Comment - In accordance with the above the application is accompanied by a BASIX Certificate which commits to environmentally sustainable measures.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

Clause 4.6 states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose that development consent is sought.

Comment - As the site has an extended history of residential use, Council may be satisfied that the land is not contaminated and is suitable for the use proposed.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in Non-Rural Areas

This chapter relates to non-rural areas of the State inclusive of the subject local government area and aims to (a) protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and (b) preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Comment - Proposed works do not involve the removal of or impact upon any existing vegetation.

4.1.2 *Local Environmental Planning Instruments*

Pittwater Local Environmental Plan 2014

The site is zoned R2 'Low Density Residential' under provisions of the Pittwater Local Environmental Plan 2014 (PLEP 2014). The proposed development relates to alterations and additions to an existing 'dwelling house' of which is permissible under the land use table with consent.

The objectives of the R2 Low Density Residential zone are:

- *To provide for housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet 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.*

Comment - Given the permissible form of development and compliance with planning provisions as detailed within this SEE, the proposal is not considered inconsistent with the stated zone objectives.

Following is a summary table indicating performance of the proposal against statutory standards:

| Requirement | Proposed | Compliance |
|---|---|-------------------|
| CI 4.3 - Building Height | | |
| Site located in Area 'I' of the Building Height Map (8.5m) | 8.5m (maximum) | Yes |
| CI 5.10 - Heritage Conservation | | |
| Subclause (4) requires that the consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6). | Site not listed as heritage item or located within a conservation area. | Yes |

| CI 6.1 - Acid Sulfate Soil | | |
|--|--|-----|
| The site is within the Class 5 land affected by Acid Sulfate Soils with development consent required for the following ' <i>...works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land</i> '. | Given limited excavation and levels of the site, no testing is not warranted with the development considered acceptable. | Yes |

4.2 (a)(ii) any Draft Environmental Planning Instruments

There are currently no draft planning instruments and / or amendments of relevance to the proposal.















4.3 (a)(iii) any Development Control Plan

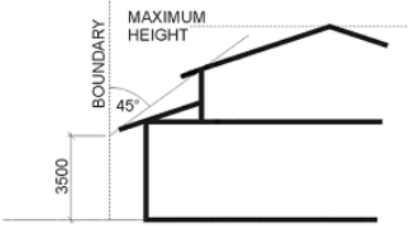
Pittwater 21 Development Control Plan 2014

The proposed development is affected by provisions of the Pittwater 21 Development Control Plan 2014 (PDCP). Compliance with the primary prescriptive standards contained within the PDCP is outlined below:

| Requirement | Proposed | Compliance |
|---|--|---------------------------|
| Section C – Development Type Controls | | |
| Section C1 - Design Criteria for Residential Development | | |
| C1.1 Landscaping A range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form. Front of buildings (between front boundary and any built structures) shall be landscaped as follows: - 60% for a single dwelling house, secondary dwelling, rural workers' dwellings, or dual occupancy, and | Existing landscape is retained. Building footprint is not altered though in this regard the front setback does maintain a landscaped area > 60%. | Existing Yes |
| C1.2 Safety and Security There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include surveillance, access control, territorial reinforcement, and space management. | The site is within a low-density residential area though in this regard the front boundary does remain well defined with the new first floor addition providing additional openings and balcony that promotes desired casual surveillance. | Yes |
| C1.3 View Sharing All new development is to be designed to achieve reasonable sharing of views available from surrounding and nearby properties. 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. Views are not to be obtained at expense of native vegetation. | Noting site context as well as building envelope proposed, no adverse view loss foreseen. No view loss is foreseen. No vegetation removed for the purposes of obtaining views. | Yes Yes Yes |

| | | |
|--|---|---|
| <p>C1.4 Solar Access</p> <p>Main private open space of each dwelling and the main private open space of any adjoining dwellings are to receive a min 3 hours of sunlight between 9am and 3pm (June 21)</p> <p>Windows to principal living area of proposal, and windows to principal living area of adjoining dwellings, are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 (that is, to at least 50% of glazed area of windows).</p> <p>Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8am and 4pm (June 21).</p> <p>Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.</p> | <p>Noting orientation of the site and design of the proposed additions > 3 hours is retained.</p> <p>Shadow diagrams in plan accompany application and, in this regard, > 3 hours retained.</p> <p>Not impacted.</p> <p>Suitable area for clothes drying is available on site.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| <p>C1.5 Visual Privacy</p> <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 9m by building layout, landscaping, screening devices or spatial separation.</p> <p>Elevated decks and pools, verandahs 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>No new openings are proposed to side elevations of addition and thus outlook remains to the front and rear which does mitigate any overlooking.</p> <p>A small balcony with 2.17m depth is provided to the street façade, resulting in no impact.</p> <p>As detailed above, no adverse overlooking results from the proposed first floor addition.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| <p>C1.6 Acoustic Privacy</p> <p>Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, living areas and communal and private open space areas and the like.</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 measured from the nearest property boundary.</p> | <p>Site is not impacted by any significant noise sources.</p> <p>All plant will comply with the applicable noise criteria with a conditioned enforcing compliance also encouraged.</p> | <p>Yes</p> <p>Yes</p> |
| <p>C1.7 Private Open Space</p> <p>Private open space shall be provided as follows:</p> <p><i>a) Dwelling houses, attached dwellings, semi-detached dwellings, and dual occupancies:-</i></p> <p>Min 80m² of private open space per dwelling at ground level, with no dimension less than 3m. No more than 75% of this private open space to be provided in the front yard.</p> <p>Within the private open space area, a minimum principal area of 16m² 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</p> | <p>Existing area of private open space in rear yard maintained and exceeds the stipulated dimensions and total area.</p> <p>Principal area is compliant.</p> <p>Directly accessible.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |

| | | |
|--|---|---|
| directly accessible from living areas enabling it to function as an extension of internal living areas. | | |
| Section D - Locality Specific Development Controls | | |
| D4 - Church Point and Bayview Locality | | |
| D4.1 Character as viewed from a public place <p>Buildings which front street must have a street presence and incorporate design elements (such as roof forms, textures, materials, arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows are not permitted.</p> <p>Walls without articulation shall not have a length greater than 8m to any street frontage.</p> <p>Any building facade to a public place must incorporate at least two of the following design features:</p> <ol style="list-style-type: none"> entry feature or portico; awnings or other features over windows; verandahs, balconies or window box treatment to any first-floor element; recessing or projecting architectural elements; open, deep verandahs; or verandahs, pergolas or similar features above garage. <p>The bulk and scale of buildings must be minimised.</p> <p>Garages, carports and other parking structures including hardstand areas must not be the dominant site feature when viewed from a public place. Parking structures must be located behind the front building line, preferably set back further than primary building, and be no greater in width than 50% of lot frontage, or 7.5m, whichever is lesser</p> <p>Landscaping is to be integrated with the building design to screen the visual impact of the built form.</p> | <p>First floor addition maintains an appropriate address, noting suitable articulation, as well as windows and balcony element.</p> <p>Balcony to the street façade provides desired articulation.</p> <p>Existing dwelling does maintain several of the stated elements with first floor provided with a suitable setback and balcony.</p> <p>Bulk and scale is appropriate.</p> <p>Existing garage and areas of hardstand forward of building are retained and not altered.</p> <p>Existing landscape retained.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| D4.2 Scenic Protection - General <p>Development shall minimise any visual impact on natural environment as viewed from waterway, road, public reserve</p> | <p>No adverse visual impacts noting that form and finish of additions are well integrated.</p> | <p>Yes</p> |
| D4.3 Building Colours and Materials <p>External colours and materials shall be dark and earthy tones as shown below:</p> <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;">  Black ✓ </div> <div style="margin-right: 10px;">  Dark grey ✓ </div> <div style="margin-right: 10px;">  Dark green ✓ </div> <div style="margin-right: 10px;">  Dark brown ✓ </div> <div style="margin-right: 10px;">  Mid grey ✓ </div> <div style="margin-right: 10px;">  Green ✓ </div> <div style="margin-right: 10px;">  Brown ✓ </div> <div style="margin-right: 10px;">  Dark blue ✓ </div> </div> <p><small>White, light coloured, red or orange roofs and walls are not permitted:</small></p> <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;">  White ✗ </div> <div style="margin-right: 10px;">  Light blue ✗ </div> <div style="margin-right: 10px;">  Red ✗ </div> <div style="margin-right: 10px;">  Orange ✗ </div> <div style="margin-right: 10px;">  Light grey ✗ </div> <div style="margin-right: 10px;">  Beige ✗ </div> </div> | <p>Finishes are to match existing dwelling and comprise acrylic render to external walls 'Dulux Classic Cream' with roof material of the entire dwelling updated to colorbond 'Classic Cream', of which is deemed appropriate to the greater context noting general lighter colour tones that are utilised.</p> | <p>Acceptable</p> |

| | | |
|---|--|-----------------------|
| <p>D4.5 Front Building Line 6.5m or established building line (whichever is the greater).</p> <p>Built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.</p> | <p>Existing setback (6.5m) is maintained and not altered.</p> <p>Not proposed.</p> | <p>Yes</p> <p>Yes</p> |
| <p>D4.6 Side and Rear Building Line Side - 2.5m at least to one side and 1m to the other side.</p> <p>Rear - 6.5m</p> | <p><u>Side Setbacks</u> 2.308m (NW) / 5m (SE)</p> <p>Rear - 14.47m (existing)</p> | <p>Yes</p> <p>Yes</p> |
| <p>D4.8 Building Envelope Buildings are to be sited within the following envelope:</p>  <p>Planes are to be projected at 45 degrees from a height of 3.5 metres above ground level (existing) at the side boundaries to the maximum building height per PLEP 2014.</p> | <p>Building envelope does remain largely consistent with that envisaged noting only a slight incursion towards the rear western corner of the first floor. Despite this, consistency with envisaged outcomes of the DCP is retained noting that as viewed from the street the façade envelope does comply, dwelling has an appropriate bulk and scale, as well as spatial separation, with no resultant amenity impacts.</p> | <p>Acceptable</p> |
| <p>D4.9 Landscaped Area - General Total landscaped area shall be 50% of the site area.</p> <p>Provided outcomes of this control are achieved, following may be permitted on the landscaped proportion of the site:</p> <ul style="list-style-type: none"> i) impervious areas < 1m in width (pathways and the like); ii) for single dwellings, up to 6% of total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)). | <p>Existing building footprint is not altered though in this regard landscaped area does equate to approximately 383m² (52%) of the site area.</p> | <p>Yes</p> |

4.4 (a)(iv) any matter prescribed by the regulations that apply to land to which the development relates

The application has been considered in terms of the regulations and there are no matters applicable.

4.5 (b) likely Impacts of the Development

(i) Impact on the natural environment:

The proposed development will not have any adverse impact on the natural environment. The site has been previously developed for residential use and is in an established residential area.

(ii) Impact on the built environment:

The proposed dwelling has been assessed against the detailed design provisions contained within the PLEP 2011 and PDCP and provides an appropriate level of compliance. Bulk, scale, design and finishes of the addition are reasonable, and integrate well with existing dwelling and broader context.

Further, the proposed development is not considered to result in any unreasonable amenity impacts in the form of overshadowing, privacy, or view loss towards surrounding properties.

(iii) Social and Economic impacts in the locality:

The proposed development is not foreseen to have any adverse social / economic impacts.

4.6 (c) suitability of the site for the development

The proposed development has been assessed against applicable planning provisions. Having regard to the assessment contained in this report, the site is considered to remain suitable.

4.7 (d) any submissions made in accordance with the Act or the regulations

It is anticipated that the development application would be notified to surrounding properties. Should any submissions be received, these will be considered by Council within any assessment.

4.8 (e) the public interest

The proposed development is considered consistent with objectives of the Environmental Planning and Assessment Act in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. Accordingly, it is deemed to be consistent with the public interest.

5 CONCLUSION

The proposed development has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979, with works permissible, and consistent with relevant controls.

Further, the development performs adequately in terms of its relationship to surrounding built and natural environment, particularly in relation to likely impacts upon surrounding properties.

Consequently, the proposal is considered acceptable from an environmental planning perspective and should be supported by Council, subject to appropriate conditions of consent.