

# **Statement of Environmental Effects (SEE)**

**Date:** July 30, 2019

**Owners:** Ms. Maxworthy

**Subject Property:** 51 Grandview Drive, Newport  
Lot 26, D.P. 16029

**Planning Controls:** Pittwater Local Environmental Plan 2014  
Pittwater Development Control Plan

## **1. Site suitability**

The site is Zoned E4, Environmental living and is in the Newport locality.

### **Objectives of zone**

- 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 site is located on the south eastern side of Grandview Drive. The subject site is an irregular shaped block with an area of 860sqm and a frontage of 10.67mtrs. The site slopes significantly from front to the back. Erected on the property is a single dwelling house.

The proposal is an addition to the existing residence forming a larger bedroom and a new laundry, extend the front deck and include an open pergola and a new rear deck. The addition of a much-needed car stand to accommodate 2 cars with studio and deck below.

We believe the alterations and additions have been designed to be compatible with the surrounding development and streetscape and comply with the objectives of the locality and zone.

## **2. Present and previous uses**

The subject site and adjoining properties are currently used as residential dwellings.

This will remain unchanged for the subject site.

We are not aware of any previous potentially contaminating activity within the subject site.

No testing or assessment has been completed for contamination on the subject site.

## **3. Development compliance**

The proposed alterations and additions to the dwelling house have been designed to comply with the objectives of councils building height planes, setbacks and site and building ratios.

The proposed car stand has a non-compliance with the front setback as outlined below.

The Minimum front setback to carstand with studio below shall be 134mm to 2670mm which does not comply with councils Development Control Plan.

However, the proposed car stand has been designed to minimize impact on trees both on council property and within the site.

Numerous alternative designs have been considered prior to lodging this development application and we believe that the proposal before council provides the best outcome to achieve car accommodation for 2 cars within the site taking into consideration the potential impact on trees + working with the typography and levels from the current street and driveway crossing and the levels within the site boundaries. The proposed car stand will require removal of 1 native tree within the site and it is proposed that a replacement tree of the same species be planted in a suitable location on the site.

The proposed studio below the car stand will be utilized by the owner of the property as an art studio and therefore, facilities have been provided within the studio to allow the owner to cleanup and wash

down during and after artworks are being worked on. Whilst the provision of a studio requests approval for floor area within the front building setback, we believe that this is reasonable in this particular case as the proposed studio is to be located underneath the car stand area and the location of the car stand has been determined to minimize impact on trees + to work with the levels and typography on the council land and within the site.

We believe it makes sense to utilize the area underneath the car stand rather than leaving the area under as an open sub floor. The studio will not be visible from the street and will have minimal impact on adjoining properties.

The minimum side setbacks shall be 1100mm to carstand with studio below and comply with councils Development Control Plan.

The proposed Site Coverage ratio is to be 27.4% with proposed landscaped area to be 72.6% which complies with councils Development Control Plan. The private open space at the rear of the residence is to be 25sqm.

There is an encroachment where the rear section of the car stand / studio encroaches on the Building Envelope of 3.5m @ 45 degrees. The encroachment is considered minor and unavoidable due to the typography of the site and the limited width of the block at the building line. The encroachment is shown on the architectural plans; and we believe the impact on adjoining properties will be minimal. Therefore, council's favorable consideration is sort.

Please see site plan, floor plans and elevations for further information.

Please see compliance table below + site plan, floor plans and elevations for further information.

Built Form Standard	Proposed	Compliance with Planning Controls? Y/N	Additional Comments
Site area m <sup>2</sup>	860m <sup>2</sup>	Y	
Housing Density dwelling/m <sup>2</sup>	700m <sup>2</sup>	Y	
Max wall height above natural ground level	6.7m	Y	
Impervious area m <sup>2</sup>	389m <sup>2</sup>	Y	
Maximum building height m	8.9m	N	Existing All new work is compliant
Front building setback m	0.134m	N	Addressed above
Rear building setback m	23.2m	Y	
Minimum side boundary setback	1.1m	Y	
Building envelope	3.5m @ 45°	N	Addressed above
Private open space m <sup>2</sup>	25m <sup>2</sup>	Y	
% landscape area	72.6%	Y	
Maximum cut into ground m	450mm	Y	
Maximum depth of fill m	Nil	Y	
Number of car spaces provided	2	Y	
Where a Clause 4.6 variation is sought, substantive reasons are to be provided justifying why the Built Form Control cannot be complied with and the impact on the general principles of Pittwater Local Environmental Plan 2014			

## **4. Access and Parking**

Existing access to and from the subject site is in the form of a path and steps.

A proposed driveway access to and from the subject site to new Car stand. The new driveway and car stand have been designed to ensure the grades comply with the Australian standards, and to work with the existing ground levels and typography. They have also been designed to minimize impact on trees and to minimize impact on adjoining properties whilst providing car accommodation within the site as required by councils planning controls.

The proposed driveway works have also been designed to comply with Parts B6.1 and B6.2 of the DCP.

The car stand structure complies with the objectives of Part B6.3 of the DCP.

Pedestrian amenity, bicycle facilities, public transport facilities and general traffic flow will not be affected by the development once complete.

## **5. Privacy, views and overshadowing**

### **Visual privacy:**

The proposed development has been designed to have minimal effect on the private open space of the subject property and adjoining properties. Placement of windows has also been considered in the design to reduce loss of privacy to adjoining properties.

A privacy screen is proposed on the new deck to minimize impact on

### **Acoustic privacy:**

Acoustic privacy and placement of outdoor living areas have been considered in the design.

### **Views:**

The impact of the proposed development on views from adjoining and nearby properties have been considered. Due to the typography of the site and the location of adjoining homes, views from adjoining properties will be retained.

### **Overshadowing:**

We believe the effect of additional shadow cast from the proposed additions will not have any adverse effect on the adjoining properties.

## **6. Air and noise**

Air quality and noise projected from the site shall not change as the proposed use of the site will remain as a single dwelling house.

## **7. Soil and water**

The proposal will have minimal impact on soil and water management issues as the proposed use of the property remains unchanged and the works will cause minimal impact or disturbance to existing ground levels.

A Geotechnical report has been submitted with the application and it outlines what will be required to comply with Part B3.1 (Landslip), Part 7.1 (Acid sulphate soils), Part 7.2 (Earthworks) and Part 7.7 (Geotechnical hazards) of the DCP.

## **8. Energy efficiency**

Orientation of the proposed residence is currently north west / south east and has been considered in the design in terms of window placement and sun/shade control.

R2 insulation batts will be used in all external walls, and R3 insulation batts above all new ceilings.

Placement of windows has been considered to help with natural ventilation.

New lighting will generally be low voltage to assist with energy efficiency.

Existing water heating will remain unchanged.

## 9. Biodiversity Protection

The site is in a biodiversity protection zone.

### Part 7.6 of the DCP - Biodiversity protection states;

1. The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:
  1. protecting native fauna and flora, and
  2. protecting the ecological processes necessary for their continued existence, and
  3. encouraging the conservation and recovery of native fauna and flora and their habitats.
2. This clause applies to land identified as “Biodiversity” on the Biodiversity Map.
3. Before determining a development application for development on land to which this clause applies, the consent authority must consider:
  1. whether the development is likely to have:
    1. any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
    2. any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
    3. any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
    4. any adverse impact on the habitat elements providing connectivity on the land, and
  2. any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
4. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
  1. the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
  2. if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
  3. if that impact cannot be minimised - the development will be managed to mitigate that impact

The proposal has been designed to ensure will have minimal impact on flora and fauna.

The additions to the front of the home are over a grassed area and will not impact on flora and fauna.

The proposed deck to the rear of the home will be built on posts. It will not require removal of any trees and we believe it will not impact on flora and fauna.

Therefore, the house additions are compliant with section 7.6 of the DCP.

A pre lodgment meeting was held with council – PLN 2019/0059 where concepts for the car stand and the house additions were discussed with Min Freedman from councils Environment and Biodiversity team.

At that meeting, Min advised that an Arborist would need to provide a report outlining impact on trees within 5m of the proposed works. This has been completed and forms part of the application.

She also advised that if only 1 native tree is required to be removed, a flora and fauna report, a 5-part test and an ecologist would not be required. As only 1 native tree is being removed, we have not provided those reports at this stage.

The arboricultural report covers the impact on all trees within 5m of the proposed works.

A replacement tree is proposed and shown on the plans provided with this application.

Photos of the tree to be removed are shown below. We don't believe there are any hollows within the tree that provide habitat for fauna.

Numerous concepts were competed for the proposed car stand area before settling on the option proposed in this application. After looking at the numerous concepts, all of them required at least 1 tree to be removed and some required more than 1 tree to be removed to allow for a car stand and for parking of 2 cars on the property. The proposal before council is considered to have the least amount of impact regarding Biodiversity protection and removal of trees.

The proposed car stand has been designed allow parking of 2 vehicles on the property. We believe It has been sited to minimize impact as it maintains an optimum number of trees on the site ensuring a minimal level of impact regarding biodiversity. Therefore, we believe that the proposal before council is compliant with this section of the DCP.





Pictures above show the tree to be removed.





Picture above shows the tree to be removed.

## **10. Waste management**

Existing council waste collection will remain in place for the subject site.

## **11. Conclusion**

Having regard for all of the above we believe that this development complies with the objectives of the Pittwater LEP 2014 and the Pittwater DCP and that the proposed alterations and additions + new car stand with studio under will not minimize any adverse effect on the built or natural environment while meeting the owners needs and those of the council's planning controls.

Therefore, council's favorable consideration is sought.