

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

KNOCK DOWN AND REBUILD

**967 Barrenjoey Rd, Palm Beach**

Prepared for SMJ Investments Pty Ltd

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### **SUMMARY**

This development application seeks approval for demolition of existing dwelling and rebuilding of a new 2 bedroom dwelling and new swimming pool on a steep site on the western side of Barrenjoey Rd, adjoining crown leasehold waterfront facilities.

The site currently appears somewhat derelict and the existing house is approaching the stage where it is uneconomic to repair, rather than rebuild , and is denuded of any flora and fauna with a failing stone capping over most of the site

Visual impact of the site from Pittwater is stark .

The existing dwelling and pool could possibly be repaired however the subject rebuild proposal delivers many benefits to all stake holders including the public, neighbours and will result in outcomes more closely aligned with the key planning and development objectives of Pittwater Council.

Key features of the proposal are:

1. Car parking , driveway access and street frontage to remain as present albeit with refreshed landscaping and improvement to public street scape amenity.
2. The existing pool sits partially over the leasehold crown land on the waterfront providing restricted access by neighbours and the public along the waterfront .Also due to the steep slope, has its western side raised approximately 1.4m from the ground, and there is no opportunity for mitigating landscaping as viewed from Pittwater. Furthermore it encroaches the boundary of the adjoining property to the north. Council has advised that if this proposal includes demolition of the pool they cannot consider this application until the Crown Lands has consented to the demolition. Such an application has been made to Crown Lands, however it is unclear when such approval will be forthcoming.

As a result , demolition of the existing pool is NOT included in this application.

For the purposes of this application , the existing pool will be retained but not filled with water and will be utilised in landscaping ,and the merits of this proposal are to be considered on the basis that THE EXISTING POOL STRUCTURE WILL NOT BE DEMOLISHED.

Demolition of the pool would result in improved development outcomes further aligned to Councils development objectives, and a section 96 amendment may be subsequently submitted to Council when and if consent for demolition is forthcoming from Crown Lands.

The proposed new pool is sited some 7 metres east (and upslope), well away from the foreshore, wholly within the subject lot .

Substantial landscaping is possible and proposed between new pool and the waterfront to provide abundant visual screening of the pool as viewed from Pittwater.

3. The proposal has been designed to minimise heavy excavation and transport of large amounts of fill offsite, works closely within the natural steeply sloping land contours ,yet will provide improved structural integrity which is important as the site is within a landslip zone and there is evidence of past long term minor ground movement. This approach will also minimise disruption to neighbours and local traffic.

4. The new dwelling is only a small "weekender", with siting relative to boundaries and building height similar to the current dwelling, with reduced visual impact from the water than the current dwelling. The proposed landscaping ratios is in excess of 70% with abundant landscape screening proposed between the waterfront and dwelling as well as on neighbour boundaries, restoring scenic amenity as viewed from Pittwater and neighbours.

The proposed works have been designed in line with the aims & objectives of all relevant Policies in force by Pittwater Council and to fully comply with PLEP 2014 and DCP 2014 except for following:

- Minor encroachment of the proposed dwelling in the Foreshore Building Line – PLEP 7.8 (Note less encroachment than existing dwelling with less height and bulk impact)
- Due to the steep sloping site an area of the proposed pool projects more than 1m above the natural ground level in the foreshore building line – PLEP 7.8 (Note existing pool also raised approximately 1.4m above the ground)
- Very minor area in the north- west corner of the pool is within 1m of the adjoining northern boundary – DCP 12.6 (Note existing pool encroaches northern boundary)

In accordance with PLEP 2014 Clause 4.6 proposals have been made for exceptions to the compliance of the development standards in relation to these matters within a body of this Statement of Environmental Effects. (SEE)

In summary, the new dwelling and pool as proposed has low environmental impact, and will involve substantial landscaping/greening and tree planting. The outcome will dramatically improve the visual amenity and public access of the site for neighbours and the public alike, and provide a more accommodating environment for fauna.

The key elements of the scheme proposed, being the orientation and siting of the dwelling and pool are very important in providing a product with sufficient buyer market appeal, at an optimised cost. A economically viable outcome is required to encourage and justify commitment to the significant cost of site stabilisation and then the rebuilding of the small dwelling and pool and substantial new landscaping.

## **SITE DESCRIPTION**

967 Barrenjoey Rd, Palm Beach 2108. Lot 46 DP 13620.

Site Area: 727.1m<sup>2</sup>

Zoned: E4 Environmental Living

Hazards effecting site: Geotechnical Hazard Mapping 2007 – GHD

Bushfire Prone Land – Certified June 2013

Subject to Tidal Inundation – Current Exposure

The site is located between Thyra and Iluka Rds, on the western side of Barrenjoey Rd of a slightly irregular shape with a street frontage of 24 m, north boundary 30m and south boundary 41m. It is a steeply sloping site at about 35 degrees on average down to the MHWM at the, and adjoins a crown waterfront lease area with boat shed, slipway ramp and concrete swimming pool (which sits across the both the subject site and leasehold crown land, and neighbours property to the north). Currently public access along the crown leasehold waterfront is somewhat restricted by the existing pool siting.

Due to the steep nature of the site, the western side of the pool is approximately 1.4 meters above natural ground level, and no because of its siting no opportunity exists for landscaping to mitigate view amenity from Pittwater.

A single story 3 bedroom timber, tile and masonry cottage of 1960s vintage exists in need of repairs. Off street parking exists off a sloping driveway which access Barrenjoey Rd.

The current dwelling footprint extends approximately 3 metres west beyond the Foreshore Building Line by way of enclosed habitable area approximately 5m wide.(encroachment area approximately. 15 square metres). The building line of the immediate neighbour to the south also extends west to the same 'de facto' building line.

Geotechnical survey including test drilling, and prior heavy excavation next door recently, indicates a sloping sandstone base, covered with clay and loose rocks. Some site movement over the long term is evident at the subject site.

The site is barren of trees and landscaping , except for weed like scrub and is mostly covered with a failing sandstone capping, this extensive capping making substantial landscaping difficult to plant and sustain.

### **DESCRIPTION OF THE PROPOSED DEVELOPMENT**

This application seeks the consent of Pittwater Council for the:

- Demolition of the existing dwelling
- Excavation and levelling , piling and retaining wall works
- New 2 storey dwelling
- New swimming pool.
- Substantial landscaping

Site works will involve moderate excavation/levelling/filling the middle section of the site which currently ranges from RL 15 in one corner to RL 9 , but averages RL 12, resulting in a flat section at approx. RL 11 over approx.. 150 sqm. Also, further downslope a flat section of approx. 44 sqm will be created in the side of the slope for the pool. The pool structure will be pilled to rock, also forming key site stabilising infrastructure.in that region of the property.

The main current sloping batter which presently transitions the site from approx. RL18 near Barrenjoey Rd down to RL 12 will be enhanced with a new 3m high retaining wall system across the site , pilled to rock , to provide adequate site stabilisation.

All design and materials of construction are to match the existing houses in the neighbourhood in a "Hampton" style. Roof is metal and walls are to be dark weatherboards,

## **TYPE OF DEVELOPMENT AND PLANNING CONTROLS**

The proposed addition to the property is in accordance to the Pittwater Local Environment Plan 2014, Pittwater 21 DCP & State Environmental Planning Policies, subject to several exceptions requested in this report.

### **Heights of buildings**

#### **Control (PLEP 4.3)**

Maximum building height of 8.5 metres

#### **Outcomes**

Refer to attached Architectural plan DA012016SG page A-104 & A-105

– building height is below 8.5m above natural ground level

### **Building Envelope (D3.9)**

#### **Control**

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.

Variations include: “Eaves or shading devices that provide shade in summer and maximise sunlight in winter, shall be permitted to extend outside the building envelope.”

“Where the building footprint is situated on a slope over 16.7 degrees, variation to this control will be considered on a merits basis”

#### **Outcomes**

-Proposed dwelling fully complies.

Refer attached Architectural plans DA012016SG A-104 & A-106.....

### **View Sharing**

#### **Control (DCP 1.3)**

A reasonable sharing of views amongst dwellings.

Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.

Canopy trees take priority over views.

## **Outcome**

The proposed new build is to have max RL 17.13, very similar to the current dwelling , on the South Elevation to maintain similar view for the property at 965 Barrenjoey Rd.

Property located at 969 is not affected by the view sharing.

Roof of the proposed dwelling remains approx. 3.5m below street level and positioned on the southern side of the lot to provide free view on the Harbour from the Barrenjoey Rd. Given the reduction of north/ south footprint span, view corridor form Barrenjoey Rd will be improved.

Building envelope and view corridors are maintained or enhanced by reason that the ground level of the new dwelling is some 1m lower than the present dwelling and the present 3 bedrooms on grade in the present dwelling are being replaced by 2 bedrooms in the roof space of the new dwelling.

Refer to Architectural drawing DA012016SG A-101

## **Solar Access**

### **Control (DCP 1.4)**

Residential development is sited and designed to maximise solar access during mid-winter.

A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.

## **Outcome**

Proposed development is an East-West orientated axis, providing maximum natural sun exposure to all rooms especially from the northern sun in winter, whilst limiting solar loads in summer late afternoons..

Property at 965 Barrenjoey Rd will maintain the solar exposure, as the proposed new dwelling is very similar at size, and the new dwelling complies with Councils building envelope requirements.

Refer Shadow diagrams on Architectural plans DA012016SG A-111,A-112,A-113

which demonstrates that 965 Barrenjoey Rd will maintain more than 3 hours sunshine in the middle of winter.

## **Basix Compliance**

Refer to attached Basix calculations and compliance certification prepared by Blue Sky Drafting.

### **Building Colours**

#### **Control (DCP D12.3 )**

External colours and materials shall be dark and earthy tones

#### **Outcome**

Refer to attached Schedule of Finishes indicating external colours and textures proposed.

### **Landscaping**

#### **Control (DCP C1.1)**

All canopy trees and majority (more than 50%) of other vegetation shall be locally native species.

At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately ass to the tree canopy of Pittwater and soften the build form. Each tree planted is to have area of 3m x 3m and a minimum 8m<sup>3</sup> within this area to ensure growth is not restricted.

The following soil depth are required:

- 300mm for lawn
- 600mm for shrubs
- 1m for trees

In bushfire prone area, species shall be appropriate to the bushfire hazard.

Canopy are to be located a min 5m from existing and proposed build structure.

#### **Outcome**

The current site is devoid of trees and landscaping . Extensive tree planting and landscaping is proposed to deliver visual amenity from Pittwater and the street and well as neighbour screening .

See the attached Landscape and Ecological Statement for Residential Building and associated Landscaping Plans and Specifications prepared by Tanya Wood (BLArch,AILA) .

-The proposed nature , extent of planting and landscaping complies with the DCP.

## **Landscaped Area – Environmentally Sensitive Land**

### **Control (D12.10)**

The total landscaped area on land zoned E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate

### **Outcomes**

Landscaped area is in excess of 70 % of the site area, so the proposal fully complies - refer to Architectural plan DA 012016SG Drawing A101 where the calculation is set out.

## **Construction and Demolition – Excavation and Landfill**

### **Control B8.1**

Excavation & landfill grater that 1m must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater

### **Outcome**

Refer to Geotechnical Engineer Report prepared by Douglas Partners dated 5 April 16. The report covers engineering site inspections, results of core drill tests, risk assessment and makes recommendations as to the principles to be adopted in detail engineering design and inspection during construction and post construction inspections.

## **Construction & Demolition – Erosion & Sediment Control**

### **Controls**

Erosion and sedimentation prevention measures must be installed on all sites to prevent the migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.

### **Outcomes**

Refer to the control plan proposed at Architectural plan DA012016SG A-110

## **Waste Management**

All demolition material will be removed by contractors who sort all waste at their depot and recycle where possible. There will be provision on site for a skip bin. All stockpiles of materials will be placed in one position so as to minimise disturbance to existing landscaping and will be on the high side of the sediment control fences



Refer to the plan proposed at Architectural plan DA012016SG-A-110

### **Hazard Control**

**Landslip** -Refer to analysis and recommendations contained in the attached geotechnical report by Douglas Partners dated 5 April 16.

**Bushfire** –Refer to analysis and recommendations contained in the attached Bushfire Hazard Assessment Report by Building Code & Bushfire Hazard Solutions Pty Ltd dated 7 March 2016.

**Tidal Inundation/Estuarine Risk**- Refer analysis contained in the estuarine hazard assessment report prepared by Kinga Monahan of Blue Sky Building Designs dated 30 April 16

### **Limited development on foreshore area**

#### **Control (PLEP 7.8)**

(2a) Development consent can be granted for the extensions, alterations or rebuilding of an existing building wholly or partly in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so

(2b) Boat sheds, swimming pools, walking trails and other outdoor recreational facilities

#### **Outcomes**

Exceptions to development standard compliance pursuant to Clause 4.6 of PLEP 2014 are required in relation to compliance with PLEP 7.8 in relation to

- (l) A 12 m<sup>2</sup> encroachment of enclosed dwelling footprint beyond Foreshore Building Line. Compliance with the development standard is unreasonable and unnecessary in relation to this because

- the current dwelling and the immediately neighbouring dwelling to the South come to a 'de facto' building line and the proposed structure is affectively "rebuild" of the current similarly situated dwelling.

- the area of the structure encroachment under the subject proposal is mainly open verandah ,resulting in a residual of approx.12 sq meters of habitable dwelling footprint (7 sqm ground floor plus 5 sqm level 1 ) contrasting with the current dwelling where the encroachment is comprised of an enclosed structure presenting a footprint of some 15 square metres.

-refer to Architectural plan DA012016SG A -101. which demonstrates the existing “de facto building line” relative to immediate neighbour to the south , relative to the Fore Shore Building Line (FBL) , and shows the area of enclosed habitable structure as proposed being less than the current enclosed area of footprint which encroaches beyond the FBL.

-In addition the proposed western most structure mainly representing the open verandah for the new dwelling is more than 1 meter lower than the case in the present dwelling (due to the proposed lower floor levels and step downs associated with the proposed dwelling compared to the existing )

The combination of the above two factors will significantly reduce the bulk and height of the new dwelling as viewed from Pittwater compared with the current dwelling.

This is demonstrated in Architectural plan DA012016SG A-104

Further justification is that it is a very minor encroachment

- (II) Whilst pools are permitted in the foreshore area, a portion of the proposed pool is in excess of 1m above the natural ground level .

Compliance with development standard is unreasonable and the necessary because

- the steep site means it is difficult to “sink” the pool lower into the ground as the excavation and engineering would be prohibitive and
- significantly compromise the amenity and proximity of the pool to the dwelling and associated external level recreational areas.
- The extra engineering and waste removal generated would be inconsistent with DCP objectives of minimising excavation and waste removal.
- Refer Architectural plans DA012016SG drawings A107 and A108 which profile sections which demonstrate that the non compliance is minor
- Significant landscaping is proposed in the area between the pool and the waterfront , with the intention of completely screening the pool as viewed from Pittwater
- The current pool it is replacing sits right on the waterfront , restricting public access, and is 1.4 m above natural ground level with no opportunity for landscape screening , and also encroaches into the neighbours property. It is intended, subject to Crown Lands approval , to lodge a further application to council in the future to allow demolition of this existing pool structure.

The nature of both the non compliances in (i) and (ii)

-are minor ,and

,are more consistent with Pittwater planning DCP objectives than the current improvements ,and

-are necessary components of a holistic proposal to provide improved solar amenity, level external recreational area, a very high landscape ratio yet coping with practicalities of the steep site whilst minimising excavation and the site works.

and are therefore worthy of Clause 4.6 exceptions.

### **Boundary Setback**

#### **Control (DCP D12.6) & Variations**

Front Building Line - 10m or established building line to at least one side; 1.0 for other side

Rear - Foreshore Building Line

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted

#### **Outcomes**

Refer to Architectural plans DA012016SG A-101,A-102

Front Setback – 10.7m- Complies

Southern boundary Side Setback – 1.3m min. Complies

Rear Setback – Refer to Limited Development on Foreshore area PLEP 7.8. discussion in earlier section.

In relation to setback from the Northern boundary-

-the proposed swimming pool to be average 2.0m setback from boundary (between 0 – 4.0m) – refer to Architectural plans DA012016SG A-101

However the north- west corner of the swimming pool is less than 1m away from the boundary of the adjoining property to the north. Exception to development standard under clause 4.6 of PLEP 2014 is requested. Compliance with this development standard is unreasonable and unnecessary because

- the adjoining property owner has consented to the proposed siting of the pool (refer to attached letter of support and consent)

- the current pool, which will remain empty as a result of this proposal, ,actually encroaches into the property of the northern neighbour .
- No safety or nuisance issue is created because the adjoining property slopes away, is heavily landscaped and the habitable dwelling siting of the neighbour is significantly to the north and away to the boundary. Note the adjoining dwelling is substantial new home recently constructed.
- The corner area of the encroachment/non compliance is minor. See Architectural plans DA012016SG A-101A
- Adherence to the standard compromises the architectural style, user amenity and creates more construction complexity unnecessarily.
- The size and the symmetry of the pool is considered of key feature of the proposal to make the rebuild of this property economically viable.