

## STATEMENT OF ENVIRONMENTAL EFFECTS REPORT

**Alterations and additions to dwelling and new pool**

-No. 429 Pittwater Road, North Manly

November 2021

**CONTENTS**

<b>1.0 INTRODUCTION .....</b>	<b>3</b>
<b>2.0 SITE DETAILS.....</b>	<b>4</b>
2.1 SITE LOCATION.....	4
2.2 SITE DESCRIPTION.....	4
2.3 SITE CONTEXT .....	6
<b>3.0 PROPOSED DEVELOPMENT .....</b>	<b>7</b>
<b>4.0 PLANNING CONSIDERATIONS.....</b>	<b>9</b>
4.1 STATE ENVIRONMENTAL PLANNING POLICY NO.55-REMEDIATION OF LAND (SEPP 55) .....	9
4.2 STATE ENVIRONMENTAL PLANNING POLICY (BASIX) 2004.....	9
4.3 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018 .....	9
4.4 STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017.....	9
4.5 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011) .....	9
4.6 WARRINGAH DEVELOPMENT CONTROL PLAN 2011.....	9
<b>5.0 SECTION 4.15-ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979. ....</b>	<b>16</b>
<b>6.0 CONCLUSION .....</b>	<b>17</b>

## 1.0 INTRODUCTION

Metro Planning Services has been engaged by Mr and Mrs Largier to prepare a Statement of Environmental Effects Report (SEE) in support of a development application which seeks consent for proposed minor alterations and additions to an existing single storey dwelling, new swimming pool and new driveway on a site located at No. 429 Pittwater Road, North Manly.

The site is zoned R2 Low Density Residential under the provisions of Warringah Local Environmental Plan 2011 (WLEP 2011) and the proposal is permissible with consent.

The proposal has been considered with the relevant provisions of Warringah Development Control Plan 2011 and found to be generally consistent.

The report is intended to assist Northern Beaches Council in its assessment of the development application and incorporates the following details:

- Description of site and context;
- Description of proposed development;
- Consideration of relevant planning considerations;
- Consideration of relevant environmental effects; and
- S4.15-Matters for Consideration under EP & A Act

The report should be read in conjunction with the following supporting material:

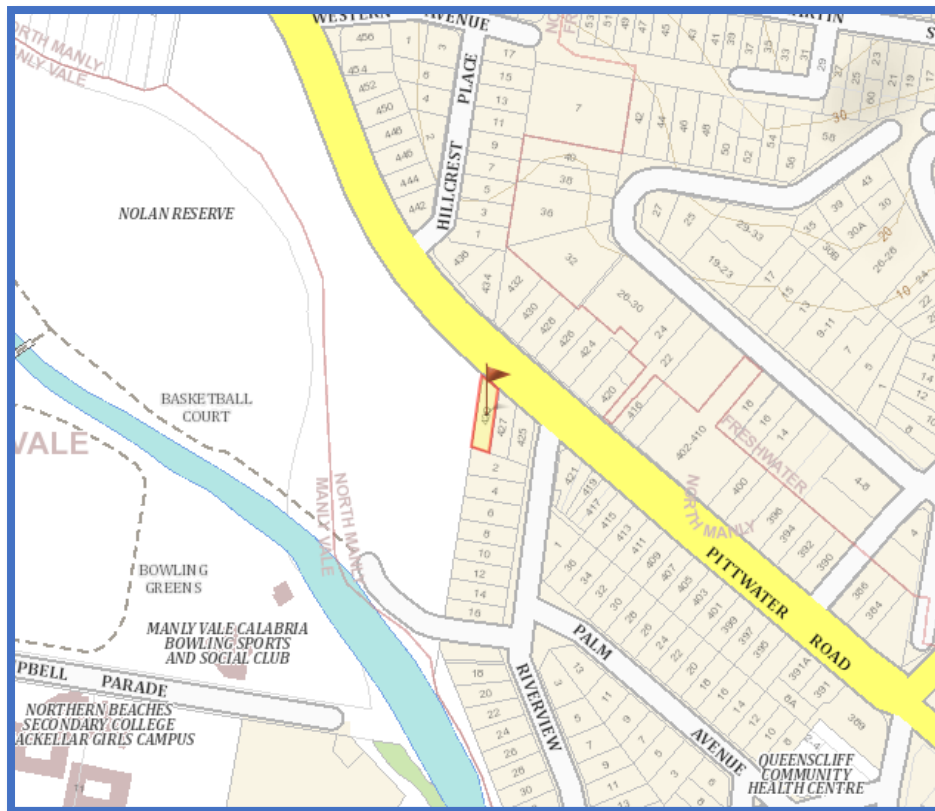
- Architectural Plans prepared by U +I Building Studio
- BASIX Certificate prepared by U+I Building Studio;
- Concept Stormwater plan prepared by Horizon Engineers;
- Civil Engineer Design Plans for driveway crossing prepared by Horizon Engineers; and
- Flood Risk Management Report prepared by Horizon Engineers

## 2.0 SITE DETAILS

The following details of the site's locational and physical characteristics are provided to assist Council in the assessment of the development application.

### 2.1 Site Location

The subject land is located at No. 429 Pittwater Road, North Manly as identified in **Figure 1**.



**Figure 1-Site Locality Plan.**

### 2.2 Site Description

The subject land is described as lot A of DP359270.

The site is currently occupied by a single storey brick dwelling, detached carport and rear shed. The site has an area 569.1m<sup>2</sup> and a frontage of 14.65m to Pittwater Road.

The site is rectangular in shape with a depth of 42.83m and adjoins a two storey dwelling to the east at No. 427 Pittwater Road and adjoins Nolan Reserve to the West. To the South, the site adjoins a single storey dwelling at No. 2 Riverview Parade.

The site falls gently from the rear to the front, with a slight crossfall to the North-East corner, by approximately 350mm as illustrated on the Plan of survey prepared by RGM Property Surveys.

An aerial depiction of the site is contained in **Figure 2**.



Figure 2-Aerial view of site.

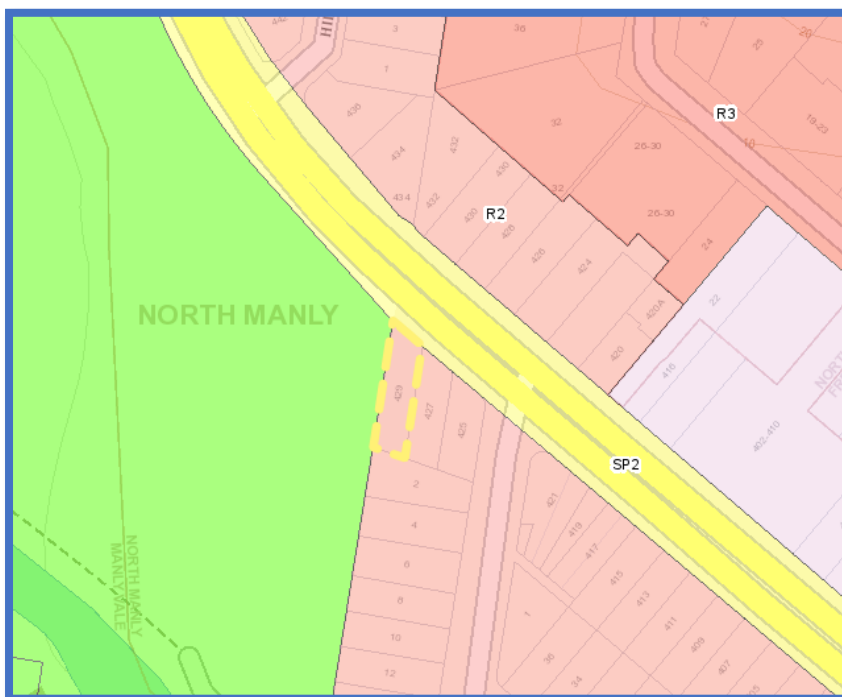


Figure 3- R2 Zoning of site.





Figure 4 – View of site from Pittwater Road.

### 2.3 Site Context

This site is located within a low-density residential area of North Manly comprising a mixture of single and two storey dwellings on similar sized lots to the subject site.

### 3.0 PROPOSED DEVELOPMENT

The development application seeks consent for alterations and additions to an existing single storey dwelling, including a new carport and pool on a property located at No. 429 Pittwater Road, North Manly.

The proposed new works are described below:

#### Internal:

- New open planned kitchen and living room within
- New bathroom
- Addition of new 7.1m<sup>2</sup> laundry in rear south eastern corner;
- Alterations to windows, sliding doors and walls;

#### External:

- New covered deck area with area of 38m<sup>2</sup>;
- New inground swimming pool, minor landscaping, new double carport and driveway.

The proposed alterations and additions involve a total additional footprint of 48m<sup>2</sup> which comprises the new rear deck extension and minor laundry addition.

The existing dwelling has a finished floor level of 2.7AHD and the proposed minor laundry addition and rear deck are proposed at the same level.

The new proposed carport has an area of 33m<sup>2</sup> and is 6m in width x 6.9m in length and has a nil setback to the western boundary. The carport is proposed to be accessed via a new double width driveway as detailed on the site plan prepared by U+I Building Studio and Civil Engineering plans prepared by Horizon Engineers.

The proposed plunge pool is 6m x 3m and has an area of 18m<sup>2</sup>. The pool coping is setback 12.24m from the rear southern boundary and 1.18m from the western side boundary.

The new rear deck and interior laundry will not extend closer to the side boundaries from the dwelling's existing footprint. The side setbacks are 1.76m to the Eastern boundary and 1.18m to the Western boundary and complies with Council's side setback controls.

The proposed design has been prepared in accordance with recommendations of the Flood Impact Assessment Report prepared by Horizon Engineers which involves a compensatory flood storage area in rear southwestern corner of property.

The proposal is supported by a Concept Stormwater Plan prepared by Horizon Engineers which provides for all collected stormwater from the addition to connect to the existing stormwater system on site and discharge via gravity to the Council stormwater system in Pittwater Road.





## **4.0 PLANNING CONSIDERATIONS**

### **4.1 State Environmental Planning Policy No.55-Remediation of Land (SEPP 55)**

Pursuant to Clause 7 of SEPP 55, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state or can be remediated to be made suitable for the purposes for which the development is proposed to be carried out.

The site displays no evidence of contamination and is suitable for its continued residential use. On this basis, the proposal is consistent with relevant objectives and matters for consideration under SEPP 55.

### **4.2 State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004**

A BASIX Certificate is submitted with the development application. The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal.

### **4.3 State Environmental Planning Policy (Coastal Management) 2018**

The site is located within the coastal zone and the proposal requires assessment under the provisions of State Environmental Planning Policy- (Coastal Management) 2018.

The proposed development is not inconsistent with any of the Coastal Management SEPP provisions and will not have an adverse impact upon the coastal qualities or processes of the area.

### **4.4 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

State Environmental Planning Policy (Vegetation in Non-Rural Areas) seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The site does not comprise any vegetation of biodiversity or visual amenity significance that requires removal. On this basis, the proposal is consistent with State Environmental Planning Policy (Vegetation in Non-Rural Areas).

### **4.5 NSW Roads Act 1993**

The site fronts Pittwater Road which is a Classified Road under the control of Transport for NSW (TfNSW).

Accordingly, the proposal requires approval from TfNSW for the proposed new driveway crossing design as illustrated on the site plan and civil engineering designs prepared by Horizon Engineers that are understood to satisfy Council's driveway design requirements. The proposed new access arrangements will improve the current awkward driveway that is not perpendicular to the site and does not satisfy Council's

driveway transition gradient requirements at the kerb. The proposed new driveway arrangement will not compromise the safety, efficiency and ongoing operation of Pittwater Road.

#### 4.6 Warringah Local Environmental Plan 2011

The subject land is zoned R2 Low Density Residential under the provisions of Warringah LEP 2011 and the proposed minor alterations and additions to the existing dwelling with new ancillary swimming pool are permissible with the consent of Council. An assessment of the proposal with relevant clauses of WLEP 2011 is addressed below in **Table 1**.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011		
Clause	Comment	Compliance
<b>1.0-PRELIMINARY</b>		
<b>1.2 Aims of Plan</b>	Proposal consistent with aims of the plan.	Yes
<b>2.0-PERMITTED OR PROHIBITED DEVELOPMENT</b>		
<b>2.1 Land use Zones</b>	The site is zoned R2 Low Density Residential. The proposed alterations and additions to the existing dwelling and ancillary swimming pool, new carport and driveway are permissible in the R2 Low Density Residential zone.	Yes
<b>2.3 Zone Objectives</b> R2 Low Density Residential zone	The proposal is consistent with the objectives of the R2 Low Density Residential zone. It is considered that the proposed development achieves these objectives by: -Ensuring the proposal compliments the existing streetscape and the existing surrounding properties. -Retaining the existing amenity to the surrounding residences. -Providing a development that is compatible in terms of bulk, scale and height to surrounding properties.	Yes
<b>4.0-PRINCIPAL DEVELOPMENT STANDARDS</b>		
<b>4.3 Height of Building</b> 8.5m	5.48m	Yes
<b>4.4 Floor Space Ratio</b>	Not mapped with an FSR requirement.	Yes
<b>5.0-MISCELLANEOUS PROVISIONS</b>		
<b>5.9 Preservation of trees and vegetation</b>	Repealed.	Yes
<b>5.10 Heritage Conservation</b>	The site does not contain any European heritage items and not in the vicinity of surrounding heritage items or in a heritage conservation area.	Yes
<b>5.21 Flood Planning</b>	The proposal is supported by a Flood Management Risk Report prepared by Horizon Engineers which concludes that the proposal is consistent with the required flood planning levels and requirements of Council.	Yes
<b>6.0-ADDITIONAL LOCAL PROVISIONS</b>		
<b>6.1 Acid Sulfate Soils</b>	The site is not mapped with high level acid sulphate soils.	Yes

<b>6.2 Earthworks</b>	Despite excavation for the rear yard pool, there is minimal excavation involved in the proposal as the site is generally flat. As such all earthworks will involve filling to a height of approximately 200mm with no excavation within the building footprint.	Yes
<b>6.3 Flood Planning</b>	Repealed.	N/A
<b>6.4 Development on sloping land</b>	The site is mapped as Area A - Collaroy Plateau Area Flanking Slopes 5°. As such a preliminary Geotech soil classification report is not required for this application.	
<b>6.5 Coastline hazards</b>	The site is not mapped in an area of coastline hazard.	Yes

Table 1-Warringah LEP 2011

#### 4.7 Warringah Development Control Plan 2011

The proposed dwelling has been designed in accordance with Warringah Development Control Plan 2011. A compliance table of relevant controls under Warringah DCP 2011 is contained in **Table 2** below.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROLS	REQUIRED	PROVIDED	COMPLIANCE
<b>PART B –BUILT FORM CONTROLS</b>			
<b>B1 Wall Heights</b>	7.2m	<7.2m	Yes
<b>B2 No of Stories</b>	N/A	N/A	N/A
<b>B3 Side Boundary envelope</b>	Building envelope 45 degrees from 4m. Eaves up to 675mm are an allowable encroachment.	No infringement on the 45 degrees control.	Yes
<b>B4 Site Coverage</b>	33.3% - the total building footprint(s) must not cover more than 33.3% of the site area	N/A	N/A
<b>B5 Side Boundary setbacks</b>	0.9m	(Building) East – 1.76m West– 1.18m  (Carport) East = 6.39m West = Nil to carport  Ancillary structures such as the proposed carport are permitted closer to the boundary.	Yes Yes  Yes with merit.
<b>B6 Merit assessment of side boundary setbacks</b>	N/A	N/A	N/A
<b>B7 Front Boundary setbacks</b>	Primary-6.5m	6.5m	Yes

<b>B8 Merit assessment of front boundary setbacks</b>	N/A	N/A	N/A
<b>B9 Rear boundary setback</b>	6.0m	12.44m	Yes
<b>B10 Merit assessment of rear setbacks</b>	N/A	N/A	N/A
<b>B11 Foreshore Building Setback</b>	N/A	N/A	N/A
<b>B12 National Parks Setback</b>	N/A	N/A	N/A
<b>B13 Coastal Cliffs setback</b>	N/A	N/A	N/A
<b>B14 Main Roads Setback</b>	N/A	N/A	N/A
<b>B15 Minimum floor to ceiling height</b>	N/A	N/A	N/A
<b>PART C-SITING FACTORS</b>			
<b>C2 Traffic, access &amp; safety</b>	Vehicle crossing to be provided in accordance with Council's vehicle crossing policy.	New driveway crossing to be provided in accordance with Council controls.	Yes
<b>C3 Parking Facilities</b>	Garages not to visually dominate façade. Parking to be in accordance with AS/NZS 2890.1.	The carport is well integrated into the dwelling front façade and complies with NCA standards for carport openness.	Yes
<b>C4 Stormwater</b>	To be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments & Minor Works Specification.	The proposal is supported by a detailed stormwater design plan prepared by Horizon Engineers. The concept plan provides for all collected stormwater to connect to the existing on-site stormwater system and discharge to the public drainage system in Pittwater Road in accordance with Council requirements.	Yes
<b>C6 Building over or adjacent to constructed Council drainage easements</b>	N/A	N/A	N/A
<b>C7 Excavation &amp; landfill</b>	Site stability to be maintained	The dwelling is stepped to minimise excavation works and maintain site stability.	Yes

<b>C8 Demolition &amp; construction</b>	Waste Management Plan required.	Waste Management Plan provided.	Yes
<b>C9 Waste Management</b>	Waste storage area to be provided.	There is sufficient area on site for waste and recycling bins behind the building line.	Yes
<b>PART D-DESIGN</b>			
<b>D1 Landscaped open space &amp; bushland</b>	Minimum 40% landscaped area required.	Proposal provides for a landscaped area in excess of 40%.	Yes
<b>D2-Private Open Space</b>	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	Proposed dwelling provides for greater than 60m <sup>2</sup> of private open space. The open space is directly accessible from the proposed rear outdoor deck.	Yes
<b>D3 Noise</b>	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements.	N/A	N/A
<b>D4 Electromagnetic radiation</b>	N/A	N/A	N/A
<b>D5 Orientation and Energy Efficiency</b>	Dwellings to be orientated to receive northern sun. Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements.	The minor alterations and additions to the existing dwelling will receive good solar access throughout the year. A BASIX certificate has been issued and forms part of the submission to Council.	Yes
<b>D6 – Access to sunlight</b>	The controls require that sunlight to at least 50% of the private open space of both the subject and adjoining properties private open space receives not less than three hours sunlight between 9am – 3pm on 21 June winter solstice.	The proposal has been suitably designed with regard to the site orientation and adjoining properties to maintain at least 3 hours of solar access to private open space and north facing windows on the winter solstice.	Yes
<b>D7 Views</b>	View Sharing to be maintained	The proposed minor alterations and additions will not	Yes



		result in any obstruction of views that surrounding properties benefit from.	
<b>D8 Privacy</b>	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties.	The proposal has been designed to limit visual privacy impacts via minimising overlooking opportunities towards adjoining properties.	Yes
<b>D9 Building Bulk</b>	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby properties & not to visually dominate the street.	The proposal provides for a minor single storey addition at the rear that is compatible with the existing surrounding development. The alterations and additions to the dwelling are well articulated through the use of compliant setbacks and minimal scale.	Yes
<b>D10 Building Colours and materials</b>	External finishes and colours sympathetic to the natural and built environment.	External finishes selected to be compatible with the existing surrounding development and the natural environment.	Yes
<b>D11 Roofs</b>	The LEP requires that roofs should not dominate the local skyline.	The proposal provides for a conventional pitch roof form which is compatible with the variety of roof forms in the locality.	Yes
<b>D12 Glare &amp; Reflection</b>	Glare impacts from artificial illumination minimised. Reflective building materials to be minimized.	The proposal will not result in unreasonable glare or reflection.	Yes
<b>D13 - Front Fences and Front Walls</b>	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	N/A	N/A

<b>D14 – Site Facilities</b>	Garbage storage areas and mailboxes to have minimal visual impact to the street. Landscaping to be provided to reduce the view of the site facilities.	No adverse visual impacts.	Yes
<b>D15 – Side and Rear Fences</b>	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991.	Existing side and rear fencing will be retained.	Yes
<b>D16 Swimming Pools and Spa Pools</b>	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	Pool is not located in the front yard and is not located nearby to neighbouring trees.	Yes
<b>D17 Tennis Courts</b>	N/A	N/A	N/A
<b>D18 Accessibility</b>	Safe and secure access for persons with a disability to be provided where required.	Safe and secure access for persons with a disability to be provided where required.	
<b>D19 – Site Consolidation in the R3 and IN1 Zone</b>	N/A	N/A	N/A
<b>D20 – Safety and Security</b>	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The modified dwelling will continue to provide a good outlook of dwelling approach and street.	Yes
<b>D21 – Provision and Location of Utility Services</b>	Utility services to be provided.	Existing facilities on site.	Yes
<b>D22 – Conservation of Energy and Water</b>	A BASIX Certificate is required.	Basix Certificate submitted.	Yes
<b>D23 - Signs</b>	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views or potentially hazardous road features or traffic control devices.	N/A	N/A
<b>E1 Private Property Tree Management</b>	Arboricultural report to be provided to support development where impacts to trees are presented.	Proposal does not require the removal of any significant vegetation.	Yes
<b>E3 Threatened</b>	Not identified on map.	N/A	N/A

<b>species, populations, ecological communities</b>			
<b>E4 – Wildlife Corridors</b>	Not identified on map.	N/A	N/A
<b>E5 – Native Vegetation</b>	Not identified on map.	N/A	N/A
<b>E6 - Retaining unique environmental features</b>	Unique or distinctive features within a site to be retained	There are no distinctive environmental features on site.	Yes
<b>E7 Development on land adjoining public open space</b>	No adjoining open space.	N/A	N/A
<b>E8 Waterways and Riparian Lands</b>	N/A	N/A	N/A
<b>E9 – Coastline Hazard</b>	Not identified on map.	N/A	N/A
<b>E10 Landslip Risk</b>	Identified as landslip risk A.	N/A	Yes
<b>E11 Flood Prone Land</b>	Site mapped in a Flood risk precinct and proposal requires a Flood Assessment Report.	The site is mapped in a Flood risk precinct and accordingly the proposal is supported by a Flood Assessment Report which concludes that the proposal complies with Council's Flood Planning requirements.	Yes

Table 2-Warringah DCP 2011

### B5-Side Boundary setbacks

The proposed carport will have a setback less than 900mm from the Western side setback. However, we consider variation of this control reasonable and justified for the following reasons:

- The carport front setback complies with the 6.5m minimum and is a single storey structure of lightweight material. As such, it will not bulky or imposing on the streetscape.
- The constraints of the site (angled and small front boundary) limit the possibilities for on-site car parking which is essential for properties adjoining the arterial road of Pittwater Road.
- The western side boundary adjoins Nolan Reserve and as such there will be no impact to adjoining residents.

## **5.0 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.**

### **(a)(i) – The Provisions of any Environmental Planning Instrument**

Statutory assessment of the proposal has been previously addressed in Section 4.0. The site is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and the proposal is permissible with development consent.

The proposal is also consistent with relevant State Environmental Planning Policies.

### **(a)(ii) Any proposed Draft Environmental Planning Instrument subject of public consultation**

There are no applicable Draft Planning instruments subject to public consultation.

### **(a)(iii) – The Provisions of any Development Control Plan**

As discussed earlier in the report, the site is subject to assessment under Warringah Development Control Plan 2011. The proposal complies with the relevant controls of WDCP 2011 which are detailed in Section 4.6 of this report.

### **(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)**

The proposal is consistent with relevant Regulations.

### **(a)(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)**

The proposal is not inconsistent with any coastal zone management plan.

### **(b) – The likely impacts of that Development**

It is considered that the development will provide for minor alterations and additions without any detrimental impacts on the built or natural environments, social and economic status of the locality.

### **(c) – Suitability of the Site for Development**

The site is of a suitable size and configuration to accommodate the proposed works. The subject site is zoned R2 Low Density Residential and the minor alterations and additions to the existing dwelling are permissible with the consent of Council. The resultant modified dwelling is of a bulk and scale that is consistent with the existing surrounding development. On this basis, the site is considered suitable for the proposed development.

### **(d) – Any submissions made in accordance with this Act or Regulations.**

Any submissions received will be considered by Council.

**(e) – Public Interest**

The proposal will provide for the housing needs of the community within a low density residential environment and is in the public interest.



## 6.0 CONCLUSION

The subject land is zoned R2 Low Density Residential under Warringah Local Environmental Plan 2011 and the proposed alterations and additions, including new pool, carport and driveway are permissible with the consent of Council. Further, the proposal is found to be consistent with the zone objectives.

The proposal has also been considered with the relevant matters for consideration under Warringah Development Control Plan 2011 and found to be generally consistent.

The application before the Council provides no unreasonable impacts to the amenity of adjoining and adjacent residential properties. The development is also in keeping with the envisaged low density residential character of the locality.

The proposal is assessed as being satisfactory, having regard to the matters for consideration contained within Section 4.15 of the EP&A Act 1979.

Accordingly, it is recommended that Council support the proposal and grant development consent subject to conditions of consent.