

STATEMENT OF ENVIRONMENTAL EFFECTS

Section 1 – Development Application Submission Details

Property:	18 – 20 Sturdee Lane, Lovett Bay, NSW 2105
Legal description:	Lot 1 in DP 1132852
Site area:	2,358m ² .
Type of development:	Local development
Development description:	Additions and alterations to the existing dwelling including an upper floor addition and a new roof.
Construction budget:	\$398,500
Applicant:	James de Soyres & Associates Pty Ltd (Telephone - 02 9979 1823 / email: contact@jdesa.com.au)
Owner:	Fiona Robin Loader
Our reference:	1708

Documents comprising the development application:

1. A Statement of Environmental Effects, this document, prepared by James de Soyres & Associates Pty Ltd;
2. Northern Beaches Council's cost-summary report form prepared by James de Soyres and Associates and dated 02/09/22
3. A BASIX certificate no A404869_03 prepared by James de Soyres & Associates Pty Ltd and issued on 2 September 2022.
4. A site survey incorporating a boundary identification survey prepared by SDG Land Development Solutions ref: 7430 issue C and dated 22/04/2022;
5. An arboricultural impact assessment prepared by Bluegum Tree Care & Consultancy and dated September 2021;
6. A bushfire risk assessment prepared by Bushfire Planning & Design ref: 3575 and dated 27/08/2021;
7. A geotechnical risk assessment prepared by Crozier Geotechnical Consultants ref: 2018-116.2 and dated August 2021.
8. A waste management plan prepared by James de Soyres and Associates and dated 09/09/21;
9. A letter dated 17 March 2022 from Nick Dinham, Transport for NSW, Greater Sydney Maritime and signed plans confirming no objections to the proposed development.

10. A letter dated 19 April 2022 from Sarah Conacher, DPI Fisheries and stamped plans confirming no objections to the proposed development.
11. The following architectural drawings prepared by James de Soyres & Associates Pty Ltd and dated 9/03/2022.

Drawing Number	Drawing Title
1708b DA-01	Location, Site and Site Analysis Plan
1708b DA-02	Demolition and Sediment Control Plan
1708b DA-03	Landscaped Areas
1708b DA-04	Shadow Diagrams
1708b DA-05	Water Management Plan
1708b DA-10	Existing House Ground Floor Plan
1708b DA-11	Existing House First Floor Plan
1708b DA-12	Proposed House First Floor Plan
1708b DA-14	Proposed House Roof and Second Floor Plan
1708b DA-15	Proposed Roof Plan
1708b DA-20	North Elevation from Pittwater
1708b DA-21	South Elevation
1708b DA-22	West Elevation
1708b DA-23	East Elevation
1708b DA-24	Photomontage and Exterior Finishes Schedule
1708b DA-30	Section A-A
1708b DA-31	Section B-B
1708b DA-32	Section X-X

Section 2 – Property Description

The site is located on the southern side of Lovett Bay, stretching from the waterfront in the North to Sturdee Lane at the southern extremity. The broader northern section of the site slopes fairly consistently up from the water's edge for 80m to approx. AHD +30m before levelling out for the narrower arm abutting the Sturdee Lane circus.

On the lowest section of the site there is an existing two-storey dwelling built to and slightly overhanging the foreshore boundary. The house is surrounded by timber decks which link it to a jetty and a detached cabana structure. A stone flagged path and steps lead up to a small self-contained cabin behind the main structure. Adjacent to this structure is the current wastewater treatment system tank which is connected to a network of irrigation lines to the south and west of the tank. From the waterfront up to about AHD + 17m the grounds are a mix of sloping lawns and introduced landscape planting with scattered, mainly local trees.

A rough path with steps leads up from the cabin to the middle section of the property which is dominated by a field of boulders and scattered trees and grasses between AHD + 19m and AHD + 29m. The rainwater storage tanks and associated plumbing connections are located at the top of this section.

The uppermost section of the site features fewer exposed boulders and has the remnants of a track connecting the main part of the site to Sturdee Lane.

To the East of the site lies No.16 Sturdee lane which consists of a 2-storey timber dwelling located at approximately the same elevation as the timber cabin to be demolished and separated from it by a grove of trees. Further upslope at the mid-level of the site is a detached timber cabin with decks with the surrounding land similarly forested to the subject site. This house has waterfront access with a jetty, a boatshed and a cargo lift adjacent to the boundary.

To the West on the foreshore lies No.22 Sturdee Lane which is also a two-storey timber dwelling with views to Lovett Bay. Behind it lies a timber deck leading to an axe-handle connection to the street and No.24 Sturdee Lane located close to the street boundary. Between these two houses the land is maintained as forest.

Section 3 – Development Proposal

The development proposal comprises the following components:

- 1 Demolish the attached but externally accessed bedroom at the rear of the dwelling;
- 2 Construct a new engineered retaining wall in front of the existing stone wall behind
- 3 Convert the existing chimney structure at the first floor level into a bay window;
- 4 Make alterations to the existing Bed 2 and bathroom on the first floor level;
- 5 Construct a new bedroom and ensuite bathroom above the existing dwelling;

A pre-lodgement meeting PLM2021/0053 was held on 18 March 2021 to discuss this development proposal. The proposal submitted for discussion at that meeting included the removal of some trees but following the meeting, the proposal has been revised so that no tree removal is proposed.

A development application DA 2020/0033 for the demolition of the existing detached cabin and construction of a detached studio was approved on 13 July 2020. This consent was subsequently amended by modification Mod2021/0040 approved on 26 April 2021.

A development application DA 2019/0671 for the replacement of the existing on-site wastewater system was approved on 29 August 2019.

BC0195/07 was issued for the dwelling and detached timber studio on 13 November 2007.

Section 4 – Statutory Planning Framework

The property is zoned E3 – Environmental Management in the Pittwater Local Environment Plan (LEP) 2014 and it is subject to potential bushfire, landslip and tidal inundation hazards.

The property is also subject to the planning controls set out in Pittwater 21 Development Control Plan (Pittwater 21 DCP) adopted on 8 December 2003 and last amended with effect from 18 January 2021. The property lies within the Lower Western Foreshores and Scotland Island Locality, D8, of the Plan.

The development proposal is discussed within the context of the applicable and relevant development controls set out in LEP and Pittwater 21 DCP for the following declared works: additions and alterations to the dwelling, demolition, rainwater tanks and tree removal.

Control	Comments
LEP clause 4.3 Height of Buildings	The maximum height of the proposed dwelling will be 8.42m above existing ground level, less than the control of 8.5m above existing ground level.
LEP clause 7.1 Acid Sulfate soils	The site is designated Class 5 for Acid Sulfate soils. The proposed works do not trigger the requirements of this clause.
LEP Clause 7.2 Earthworks	The proposed excavations are minor and localised and will have no long-term effect on the site or surrounding areas. The existing stone wall behind the bedroom structure is to be retained and reinforced with a new engineered wall in front.
LEP clause 7.6 Biodiversity Protection	The proposed development is located within a portion of the site that has been previously developed with no further incursion into the landscaped area. No vegetation or tree removal is proposed.
LEP clause 7.7 Geotechnical Hazards	Refer to the geotechnical risk assessment prepared by Crozier Geotechnical Consultants provided in accordance with this clause.
LEP clause 7.8 Limited Development on Foreshore Area	<p>The proposed development involves alterations and additions to the existing dwelling, which is located entirely within the foreshore area. Clause 7.8 of PLEP 2014 states that development consent must not be granted for development on land within the foreshore area except for:</p> <p><i>“the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, but only if the development will not result in the footprint of the building extending further into the foreshore area,”</i></p> <p>Pursuant to clause 7.8(2)(a), the extension or alteration of the existing dwelling is only permitted provided that the development “will not result in the footprint of the building extending further into the foreshore area”.</p> <p>The proposal as submitted does not result in an increase to the existing building footprint into the foreshore area.</p> <p>As such the development is consistent with the provisions of the Clause</p>
LEP clause 7.10 Essential Services	<p>The site is currently serviced with electricity and water.</p> <p>Approval for a replacement on-site sewage system was recently obtained under DA 2019/0671. This system is capable of servicing the proposed development. There will be no change to the number of bedrooms or potential occupant load as a result of the proposed development.</p>

B3.1 Landslip Hazard	Refer to the geotechnical risk assessment prepared by Crozier Geotechnical provided in accordance with this clause.
B3.2 Bushfire Hazard	Refer to the bushfire risk assessment prepared by Bushfire Planning & Design. The location of the development has been determined to require new construction to be to the AS3959:2018 BAL-19 standard on the East, South and West Elevations and to AS3959:2018 BAL-12.5 on the North Elevation.
B3.7 Estuarine Hazard – Low Density Residential	<p>The proposed works are located upslope of the foreshore area and above the AHD +5m contour.</p> <p>In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL 2.60m AHD would apply at the subject site. The proposed development is far above the applicable EPL.</p>
B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community	<p>The area of the proposed development has been identified as Spotted Gum – Grey Ironbark open forest by Ecoplanning in their flora and fauna assessment which accompanied the previous development applications.</p> <p>The proposed development will have minimal adverse impact on the Pittwater Spotted Gum Endangered Ecological Community. The works are located on the footprint of the existing building and no tree or vegetation removal is proposed.</p> <p>The arborist's report prepared by Bluegum Tree Care & Consultancy confirms that the proposed works can be carried out without harm to the existing trees.</p>
B4.15 Saltmarsh Endangered Ecological Community	The proposed reconstruction of the existing roof structure is above the ground level and will not affect the land beneath.
B4.16 Seagrass Conservation	The proposed reconstruction of the existing roof structure is above the ground level and will not affect the land beneath.
B4.19 Estuarine Habitat	The proposed reconstruction of the existing roof structure is above the ground level and will not affect the land beneath.
B5.13 Development on Waterfront Land	The proposed reconstruction of the existing roof structure is above the ground level and will not affect the land beneath.
B5.15 Stormwater	Rainwater will be collected from the new roof structures and discharged to Pittwater via the existing system.
B8.1 Construction and Demolition – Excavation and Landfill	Yes, work will be conducted in accordance with this control and the advice set out in the geotechnical risk assessment.

B8.2 Construction and Demolition – Erosion and Sediment Management	Erosion and sedimentation prevention measures will be introduced in accordance with this control, including a sediment control fence to be constructed and maintained below the lowest level of the works; refer to architectural drawing 1708b DA-02.
B8.3 Construction and Demolition – Waste Minimisation	Yes, waste minimization measures will be introduced in accordance with this control. Materials will be re-used on site where possible.
B8.4 Construction and Demolition – Site Fencing and Security	Yes, appropriate fencing will be erected and maintained for the duration of the construction period.
B8.6 Construction and Demolition – Traffic Management Plan	N/A, a plan will not be required since the quantity of excavated material will not exceed 100m ³ ,
C1.1 Landscaping	<p>The site is very well screened from the street by existing trees.</p> <p>The site is screened from the water by one large Norfolk Island Pine – T111; two Cypress Pines, T92 and T110; one spotted gum – T112 and the grove of trees T95-108.</p> <p>No additional tree planting is permitted by the RFS under the conditions imposed on the previous development consent DA 2020/0033 and subsequent modification.</p>
C1.2 Safety and Security	The design allows opportunities for casual surveillance and adequate lighting.
C1.3 View Sharing	The extensive tree cover on the subject and adjoining sites means that views across properties are restricted by vegetation rather than structures. Views from adjacent properties are directed out towards the bay and will not be diminished by the proposed works.
C1.4 Solar Access	The main private open space of the dwelling and the main private open space of the adjoining dwelling will receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 st
C1.5 Visual Privacy	Visual privacy will be protected through the substantial setbacks and screening by trees.
C1.6 Acoustic Privacy	Acoustic privacy will be protected by the separation between dwellings and the location of any noise producing plant under the proposed structures.
C1.7 Private Open Space	More than the required minimum 80m ² area of open space will be provided.
C1.12 Waste and Recycling Facilities	These facilities will be located as existing.
C1.13 Pollution Control	The proposed development complies with this control.

C1.14 Separately Accessible Structures	<p>The existing separately accessible bedroom will be incorporated as part of the main dwelling through this development proposal.</p> <p>The approved separately accessible pavilions are not affected by this development proposal.</p>
C1.23 Eaves	<p>The development proposal incorporates eaves of 450mm or more on each elevation.</p>
C1.25 Plant, Equipment Boxes and Lift Over-run	<p>No roof top plant is proposed. The existing air-conditioning units will be retained.</p>
D8.1 Character as Viewed from a Public Place	<p>The proposed development includes an articulated façade that provides shaded elements that assist in reducing its visual presence and blending with the environment. The proposal will lower the roofline of the main dwelling with additions to the rear set behind the main roof structure so they recede from view.</p> <p>The photomontage shows the extremely limited visibility of the proposed development from the waterway.</p>
D8.2 Scenic Protection - General	<p>The scale of this development proposal is minor and architecturally complimentary to the existing built form. The addition will not have an unreasonable visual impact when viewed from the waterway.</p> <p>No additional tree planting is permitted by the RFS under the conditions imposed on the previous development consent DA 2020/0033 and subsequent modification.</p>
D8.3 Building Colours and Materials	<p>The exterior finishes and materials of the new structures will comprise dark, earthy tones; refer to architectural drawing number 1708b DA-24 Photomontage and Exterior Finishes Schedule.</p> <p>The proposal will replace the existing light-coloured roof which is a dominant feature of this property with a lower pitched and dark coloured roof.</p>
D8.5 Front Building Line	<p>The proposed building is set back more than 60m from the street boundary.</p>
D8.6 Side and Rear Building Lines	<ol style="list-style-type: none"> 1. The proposed minimum setback of the new works on the eastern side is 1.08m, increased from the existing 0.77m 2. The proposed minimum setback of the new works on the western side is 21.0m. Other existing structures are located closer to the boundary than the new works. 3. The proposed building works are located entirely over the foreshore building line. Refer to the notes regarding LEP clause 7.8 Limited Development on Foreshore Area above.

D8.8 Building Envelope	<p>The development proposal complies with the 3.5m/45 degrees building envelope control except for a small portion of the eaves which is a permitted exception under this clause.</p> <p>Although the slope of the land is over 16.7 degrees (30%) a variation to this control is not considered necessary.</p>
D8.9 Landscaped Area	<p>The control requirements are that the maximum area not provided as landscaping is required to be 230m², although on sites greater than 1,000m² this may be increased to up to 23% of the site area on a merit basis. This upper limit is calculated as 583.7m² for this site.</p> <p>The existing landscaped area is 2294.9m² (90.4%). The proposed landscaped area is 2296.2m² (90.5%), a slight increase in landscaped area.</p>
D8.10 Fences	N/A, no new fences are proposed.
D8.11 Construction, Retaining Walls, Terracing and Undercroft Areas	The proposed new retaining wall will be screened from public view by the existing and proposed structures.
D8.13 Stormwater Overflow	Rainwater will be collected from the new roof structures and discharged to Pittwater via the existing system.
D8.15 Site Disturbance	The proposed site disturbance remains 380.4m ² or 15% of the site area. This is within the requirements of this control.
D15.11 Waterfront Lighting	N/A, no waterfront lighting is proposed as part of this development application.
D15.12 Development Seaward of Mean High Water Mark	The proposal to rebuild the roof structure which overhangs the MHW will not further encroach into the waterway or affect marine vegetation.
D15.15 Waterfront Development	N/A, no waterfront development is proposed as part of this development application.

Section 5 – SEPP (Coastal Management) 2018 – Coastal Environment Area and Coastal Use Area

The site lies within land designated as Coastal Environment and Coastal Use areas identified in the SEPP (Coastal management) 2018 policy maps.

The proposed works are located within the footprint of the existing structures and will be largely screened from the waterway by the existing building. The reconstruction of the main roof at a lower pitch and the change to darker finishes will ensure that the completed development will have less visual impact than the existing one. Refer to the photomontage showing the very limited visibility of the proposed development from Lovett Bay. There are no works proposed in the foreshore area that would hinder public access to the foreshore area nor would it interfere with coastal processes or hazards.

In consideration of Clause 13, Development on land within the coastal environment area, the proposed development will not have any adverse impact on:-

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
- (b) coastal environmental values and natural coastal processes,
- (c) the water quality of the marine estate
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- (f) Aboriginal cultural heritage, practices and places,
- (g) the use of the surf zone.

In consideration of Clause 14, Development on land within the coastal use area, the proposed development will not have any adverse impact on:-

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,
- (iv) Aboriginal cultural heritage, practices and places,
- (v) cultural and built environment heritage.

We submit that the proposed development fully complies with the SEPP (Coastal Management) 2018

Section 5 – Conclusion

This proposal is to integrate an existing separately accessible bedroom extension into the major part of the dwelling and enlarge what are currently two very small bedrooms and a bathroom without increasing the footprint of the house within the foreshore area.

The proposal achieves the desired future character of the area of low-density dwellings in a landscaped setting. The additions and alterations are of a minor scale and when combined with the dark natural materials palette it will better harmonise with the natural environment than the existing structure.

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