

# Statement of Environmental Effects

183 Barrenjoey Road, Newport

## Site description

The site is known as 183 Barrenjoey Road, Newport described as Lot 12, in D.P. 654177. The site has an area of 474.20m<sup>2</sup> and has a frontage to Barrenjoey Road to the east. The site adjoins residential lots to the north, south and west.



Image 1. Aerial view of the development site. Image courtesy of Google Maps.

## The proposal

It is proposed to:

- Remove an exempt tree.
- Replace an existing retaining wall.
- Construct a set of stairs from the approved alfresco area down to existing ground levels.
- Construct a set of stairs and a deck.
- Construct a concrete swimming pool.
- Install screen planting and amend the planting approved under DA2019/1088.



Image 2. Location of the approved alfresco and proposed stairs.



Image 3. Location of the proposed timber stairs, deck, and concrete swimming pool. The existing block retaining wall to be replaced can be seen in the foreground.



Image 2. Existing Frangipani to be removed and block retaining wall to be replaced.

### **Site analysis**

183 Barrenjoey Road, Newport is a gently sloping block falling 2.05 metres from the eastern boundary to a retaining wall. The retaining wall is approximately 0.8 metres high. The site then continues to fall 2 metres towards the western boundary. The dwelling house approved under DA2019/1088 is currently under construction. The dwelling house will have the benefit of a garage accessed from Barrenjoey Road.

### **Previous and present uses**

The present and previous known uses of the site have been, and are for, a residential dwelling. The adjoining allotments are also used for residential development. As a result, it is felt that the site would not be likely to be contaminated in any way from its known use nor would there be any need to test the site to confirm this belief.

### **Development standards & design guidelines**

The statutory and strategic planning controls that guide this proposal are;

- Pittwater Local Environmental Plan 2014
- Pittwater 21 Development Control Plan 2014

The pertinent sections have been addressed below.

### **Pittwater Local Environmental Plan 2014 controls**

The planning maps contained in PLEP 2014 show the site zoned as E4 Environmental Living and Acid Sulfate Soils Class 5. The site is also found on the Biodiversity Map and is zoned as being H2 on the Geotechnical Hazard Map.

## **Part 7 Additional local provisions**

### **7.1 Acid sulfate soils**

183 Barrenjoey Road, Newport is shown on the Acid Sulfate Soils Map as Class 5 for Acid Sulfate Soils. Development consent is required only for 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. The proposed works are not likely to lower the watertable. As such development consent is not required in relation to Acid Sulfate Soils.

### **7.2 Earthworks**

Earthworks have been proposed as part of this Development Application. There will be no disruption of, or detrimental effect on, drainage patterns and soil stability in the locality of the development as a result of the excavation. The soil to be excavated will be disposed of at an establishment licenced to do so. Any imported fill soil is to meet the relevant standards. There will be no adverse effect of the development on the existing and likely amenity of adjoining properties.

### **7.6 Biodiversity**

183 Barrenjoey Road, Newport is shown on the Biodiversity Map. The works associated with this proposed Development Application will not have an adverse impact on the condition, ecological value and significance of the fauna and flora on the land.

There was inconsistency between the driveway layout of the landscape and architectural plans submitted as part of DA2019/1088. The planting scheme has been adapted to suit the architectural plans. Some additional plant material has been specified as part of the works associated with this Development Application. It is felt that the implementation of the proposed planting will increase the biodiversity value of the site.

### **7.7 Geotechnical hazards**

The subject site is shown as being H2 on the Geotechnical Hazard Map. A Geotechnical Report was prepared for DA2019/1088. This report and an addendum outlining the relevance of this original report to these works, accompany this Development Application.

## **Pittwater 21 Development Control Plan 2014 controls**

### **Section B General controls**

#### **B3 Hazard controls**

##### **B3.1 Landslip hazard**

The subject site is zoned as being H2 on the Geotechnical Hazard Map. As noted above, a Geotechnical Report and addendum accompany this Development Application in support of the proposed works.

## **B4 Controls relating to the natural environment**

### **B4.22 Preservation of trees and bushland vegetation**

One tree is proposed to be removed as part of this Development Application. It is an exotic tree and not protected due to its insignificant scale. It is felt that its removal will have no adverse impact on the 'urban forest of the Northern Beaches'. Additional plant material has been specified as part of the works associated with this Development Application as well as those that formed part of DA2019/1088.

## **B5 Water management**

### **B5.15 Stormwater**

It is felt that there will be no adverse impact on stormwater processes resulting from the works associated with this Development Application. There will be a minor increase in impervious areas (36.92m<sup>2</sup>) as a result of the proposed works. 15m<sup>2</sup> of this increase is the water of the swimming pool with coping comprising an additional 11.04m<sup>2</sup>. The coping will fall towards the water of the swimming pool. The overflow of the swimming pool is to be directed to Sydney Water's sewer mains as per AS/NZS 3500. 8.78m<sup>2</sup> is decking which will allow rainwater to reach the soil profile below it. The remaining 2.01m<sup>2</sup> is the stairs from the alfresco area, which will fall towards the turf.

## **B8 Site works management**

### **B8.1 Construction and demolition - excavation and landfill**

Earthworks have been proposed as part of this Development Application. Excavation in excess of 1.5 metres below the existing surface will be required for construction of the swimming pool. As the site is zoned H2, the structural engineering will be certified by a Geotechnical Engineer, as part of the Construction Certificate documentation in accordance with the control.

### **B8.3 Construction and demolition - Waste minimisation**

Waste materials generated through demolition, excavation and construction works will be minimised by reuse onsite, recycling, or disposal at an appropriate waste facility. A Waste Management Plan accompanies this Development Application.

## **Section C Development type controls**

### **C1 Design criteria for residential development**

#### **C1.1 Landscaping**

As noted above, a landscape plan was submitted for the new dwelling house that formed part of DA2019/1088. There was inconsistency between the driveway layout of the landscape plan and architectural plans submitted as part of this Development Application. The planting scheme shown in this Development Application has been adapted to suit the driveway and turning area layout of the original architectural plans with some additional plant material being specified to screen the proposed swimming pool from the adjoining property.

The control requires at least two canopy trees in the front yard and one canopy tree in the rear yard to be provided on site. Two trees were proposed within the front setback in the original landscape plan, however, there is not sufficient room for two trees once the driveway and turning area proposed on the architectural plans is applied to the site. The landscape plans that form part of this Development Application show one tree to the front setback and the existing Callistemon to the north-western corner of the site. It is acknowledged that only one tree within the front setback is a variation on the control. However, it is felt that this should be deemed acceptable given the lack of available space in the front setback. The requirement to depart the site in a forward direction has necessitated a large turning area reducing the opportunities for tree planting.

As noted above, the landscape plan that forms part of this Development Application is an adaptation of the plan that was submitted and approved as part of DA2019/1088. The plant species specified are the same as the original landscape plan, with the exception of the screen planting to the western boundary. The control stipulates that a minimum of 50% of the proposed vegetation shall be locally native. The original landscape plan showed a percentage (83.2%) of planting based on 'Australian native plants'. This was approved by Council. For consistency, this same method has been applied to this Development Application. As illustrated on *Sheet L-02 Zone A Landscape Plan and Sheet L-03 Zone B Landscape Plan* as prepared by Serenescapes Landscape Designs, the proposed planting still complies with the 50% requirement at 67.80%.

### **C1.3 View sharing**

The proposed works associated with this Development Application will have no impact on view sharing. The adjacent dwelling houses are situated such that they will incur no view loss from the proposed development.

### **C1.5 Visual privacy**

The control states that direct overlooking of adjoining dwellings and private open space areas should be protected by building layout, landscaping, screening devices or greater spatial separation. It is felt that the works proposed as part of this Development Application will have no adverse impact on private open spaces such as swimming pools or living rooms of adjoining properties. It is acknowledged that the proposed swimming pool is in an elevated position. However, it is felt that the proposed works meet with the visual privacy controls for the following reasons.

- As illustrated in Images 2 and 3 above, the areas of private open space of the adjoining residence (1 Cecil Street, Newport) are not overlooked by the subject site, but rather the neighbouring properties being 181 and 185 Barrenjoey Road, Newport.
- There are three windows on the dwelling house at 1 Cecil Street, Newport that face the subject site. Two of the windows have drawn blinds and the third appears to have frosted glass.
- The dwelling house at 181 Barrenjoey Road, Newport is considerably higher than the proposed development on the subject site. The area of private open space is at a similar level as the proposed development.

- The dwelling house at 185 Barrenjoey Road, Newport is higher than the proposed development on the subject site. The area of private open space is at a similar level and lower than the proposed development. However, there is a generous setback (2.9 metres) between the proposed development and the northern boundary ensuring no loss of visual privacy.
- Additional plant material has been specified as part of the works associated with this Development Application. This plant material is to be installed on the rear boundary to soften the proposed structure and limit any overlooking. Refer to sheet *L-03 Zone B Landscape Plan* as prepared by Serenscapes Landscape Designs for details.

### **C1.6 Acoustic privacy**

There is no additional noise expected to be generated from the ongoing use of the works associated with this Development Application. The swimming pool equipment required as part of this development is proposed to be located in a soundproof enclosure meeting the control with positive compliance.

### **C1.13 Pollution control**

There is no air, water or land pollution expected from the ongoing use of the works associated with this Development Application.

### **C1.17 Swimming pool safety**

The proposed works associated with this Development Application include swimming pool fencing and warning notices which shall be manufactured, designed, constructed, located and maintained in accordance with the Swimming Pools Act 1992 and regulations, meeting the control with positive compliance.

## **Section D Locality specific controls**

### **D10 Newport locality**

#### **D10.4 Building colours and materials**

The exposed portions of the swimming pool shell are to be painted dark grey to ensure harmony with the natural environment in accordance with the control.

#### **D10.8 Side and rear building line**

The control states a swimming pool is required to have a minimum side and rear boundary setback of 1 metre. As detailed on drawing *L-04 Zone B Setout Plan* as prepared by Serenscapes Landscape Designs, the proposed development complies with the control. The proposed swimming pool has a northern side boundary setback of 2.9 metres, southern side boundary setback of 1 metre and a rear boundary setback of 2.335 metres.

It is acknowledged that the proposed swimming pool is in excess of 1 metre above ground, however, it is felt that this should be deemed acceptable for the following reasons.

- The variation on the control is very minor (0.15 metres).

- The side of the swimming pool that is non-compliant has a generous setback to compensate for the minor non-compliance.

#### **D4.10 Landscaped area – Environmentally sensitive land**

183 Barrenjoey Road, Newport is found within land zoned E4 Environmental Living. The calculations for landscaped area including a diagrammatic representation are found on drawing *L-01 Site Plan / Site Analysis / Sedimentation Control Plan* as prepared by Serenescapes Landscape Designs. They are shown again below.

<b>Landscape area calculations</b>	
Site Area	474.20m <sup>2</sup>
Required Landscaped Area	283.11m <sup>2</sup> (60%)
Approved Landscaped Area (DA2019/1088)	294.52m <sup>2</sup> (62.11%)
Proposed Landscaped Area	257.60m <sup>2</sup> (54.32%)
Impervious Area Allowance	28.31m <sup>2</sup> (6%)
Total Proposed Landscaped Area	285.91m <sup>2</sup> (60.29%)

As noted above the proposed works associated with this Development Application comply with the Landscape Area requirement.

As can be seen on the diagrammatic representation of the Landscape Area calculations found on *L-01 Site Plan / Site Analysis / Sedimentation Control Plan* as prepared by Serenescapes Landscape Designs, the permeable driveway, turning area and pedestrian pathway have been shown as Landscape Area. This method of calculation was approved by Council as part of DA2019/1088. For consistency, this same method has been applied to this Development Application.

#### **D4.13 Construction, retaining walls, terracing and undercroft areas**

An existing retaining wall is to be replaced as part of this Development Application. The proposed retaining wall is to follow the same alignment and be at the same height as the existing retaining wall.

It is acknowledged that the proposed swimming pool is elevated and will create small undercroft areas. These undercroft areas are well under the 3.5 metres permissible under the control at 1 metre.

#### **Conclusion**

It is felt that the proposed development will increase amenity of the site for the owners through the provision of additional areas for active and passive recreation. The development has been designed to enhance the character of the site and increase the value of the property whilst being mindful of impacts upon adjoining properties.

It is acknowledged that there is a non-compliance with the height of the proposed swimming pool above the ground and the number of canopy trees in the front setback. However, as noted above, it is felt that the proposed development has been designed to minimise any perceived adverse impacts and designed in accordance with the spirit of Council's planning documents.

Prepared by Ben Farrar TLA Member Serenescapes Landscape Designs. 23/08/2021