



# Statement of Environmental Effects

## Alterations and Additions

13 Bruce Street Mona Vale NSW

### DOCUMENT CONTROL

| Reference          | Revision | Date     | Issued To | Purpose                 |
|--------------------|----------|----------|-----------|-------------------------|
| 0603 Env_Effects_A | A        | 29/09/06 | COUNCIL   | Development Application |
| 0603 Env_Effects_B | B        | 03/10/06 | COUNCIL   | Development Application |



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# 1 INTRODUCTION

This report has been prepared to substantiate a development application to Pittwater Council regarding 13 Bruce Street Mona Vale. Work involves internal alterations of an existing house, the provision of additional windows and an entry porch.

The proposal is considered to be local development under the Environmental Planning and Assessment Act (EPA Act) and is not considered to be Advertised Development or State Significant Development.

The proposed development generally complies with the requirements and objectives of the relevant planning instruments. Where there are non compliances proposed for new works the Statement submits argument as why the non compliance should be assessed on merit.

The applicants have recently purchased the property and have requested the architect that an application be put to Council that will allow occupation of the dwelling as soon as is practical. Accordingly the development of the site is to be undertaken in three stages being:

Stage 1: Work deemed 'Exempt development' allowable in Region 1 including

- minor non structural alterations including the replacement of doors, wall ceiling or floor linings, deteriorated frame members with equivalent or improved quality materials, removal or construction of non-structural nonresidential partitions  
preparation only for re-cladding of roofs and walls (No structural alterations or change to the external configuration of the building) Materials to be compatible with existing building and finish and compatible with those in area. No light-coloured or reflective materials  
Windows, glazed areas and external doors, replacement only
- Repairs to existing structures with no change to configuration of support members

Stage 2: THIS APPLICATION: Internal structural and planning alterations and the provision of additional windows that require development approval. (No change in existing floor area or size of the building envelope.)

Stage 3: PENDING APPLICATION: Application for extensive landscaping, courtyards and swimming pool beyond the Foreshore Building line and the provision of covered double carparking in general accord with the master plan drawings and sketches issued at the pre-lodgement meeting referred to below.

## 1.1 PRELODGEEMENT MEETING

A prelodgment consultation meeting was held on site on August 23 2006 attended by Council representatives Andrew Pigott and Kevin Short. This Statement of Environmental Effects has been prepared to respond to the issues identified in the meeting and subsequent risk assessment document dated 12 September 2006.

# 2 STATEMENT OF OBJECTIVES

The purpose of this Statement of Environmental Effects is to:

- Present the Matters for consideration required by S79C of the Environmental Planning and Assessment Act, 1979 (as amended).
- Provide details of the proposed development

### 3 SITE

#### 3.1 LOCATION AND DESCRIPTION

The proposed development site is located on the eastern side of Bruce Street, Mona Vale and overlooks Warriewood Beach. The site has a total area of approximately 525.7m<sup>2</sup> with a width of approximately 18.29m, a depth of approximately 26.72m on the north boundary and a depth of 33.775m on the south boundary and a frontage to public space on the Warriewood Beach foreshore of 17.73 metres. It is known as 13 Bruce Street, Mona Vale and is described as:

Lot 10, DP 15762

The site is on land which falls approximately 6.5m from RL 29.4 AHD at the western (Bruce Street) boundary to RL 22.9 AHD at the southern boundary.

Existing vegetation is indicated on the site plan.

#### 3.2 SITE USAGE

The site is currently occupied by a single storey weatherboard cottage and an associated Garage with a WC under.

##### 3.2.1 Previous uses of site

The only known usage of the site is for residential purposes.

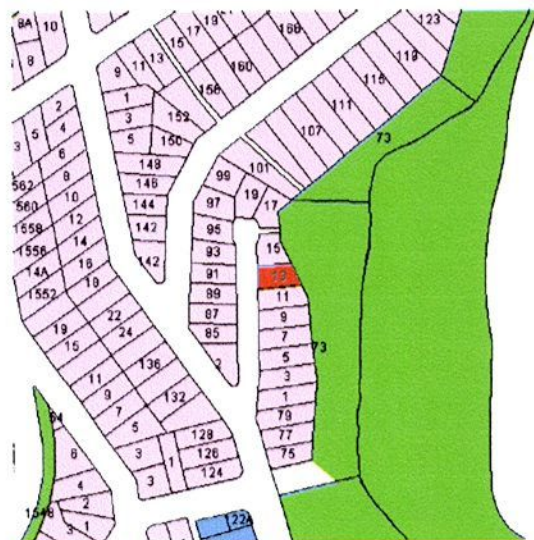
##### 3.2.2 Contamination of land

There is no indication of any contamination, nor does its existing use suggest it to be likely. Accordingly the land is not contaminated land subject to assessment under State Environmental Planning Policy No. 55 – Remediation of Land.

#### 3.3 THE LOCALITY

The adjoining site on the northern boundary contains a 1 and 2 storey brick and weatherboard cottage and the site to the southern boundary is occupied by a 1 and 2 storey brick cottage with a tile roof.

Surrounding development is of a low density residential character and substantially brick and tile roof in terms of built form. The buildings are generally one to two storeys in height and have been constructed in the last 40 years. The open space of the Warriewood beach is adjacent.



## **4 PROPOSED DEVELOPMENT**

### **4.1 DESCRIPTION**

External works: It is proposed to remove the existing concrete entry footpath, 'Weldmesh' boundary fence and two trees noted as Tree T4 and T5 within the boundaries of the site. A new concrete entry path is to be constructed from Bruce Street to a new side entry position.

Ground Floor Level: Reconfiguration of internal partitions to provide one Living/Dining/Kitchen space, Master Bedroom and associated Dressing room and Ensuite, Bed 2, Entry Hall, WC and Bathroom .

Lower Ground Floor Level: Laundry: Reconstruction and repair of building envelope and installation of new laundry fitments and equipment.



## 5 ENVIRONMENTAL PLANNING ASSESSMENT

### 5.1 ENVIRONMENTAL PLANNING INSTRUMENTS – S79C(1)(A)(I)

#### 5.1.3 Pittwater Local Environmental Plan 1993

Use and development of the site is governed by the provisions of the Pittwater Local Environmental Plan 1993

##### **Zoning**

The land is zoned 2(a) (Residential "A"). Single dwelling house development is permissible in this zone, with development consent.

##### **Provision of Services**

The site is already serviced and the available services should adequately cater for the increase in the number of proposed dwellings.

##### **Development in the vicinity of heritage or archaeological items**

The site is not in the vicinity of heritage or archaeological items

##### **Preservation of trees**

The site is subject to the Tree Preservation and Management Order. Significant trees are located on the site. All trees will be retained except for Tree No.4 (Umbrella Tree) and Tree No.5 (Norfolk Island Hibiscus) which are "semi-mature, and not prominent in the landscape and carry exemption from the Pittwater Council Tree Preservation Order due to their weed status/invasive root system (4) and irritant pods (5)".<sup>1</sup>

##### **Provision of adequate water and sewerage**

The site currently enjoys adequate provision for the supply of water and the disposal of sewage.

#### 5.1.4 SEPP 71 Coastal protection

The proposed development complies with SEPP 71 since the development does not impact

- existing public access to and along coastal foreshores, and
- Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and
- the visual amenity of the coast, and
- beach environments and beach amenity, and
- native coastal vegetation, and
- the marine environment of New South Wales, and
- rock platforms, and
- the type, bulk, scale and size of development is unchanged and is appropriate for the location

### 5.2 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS – S79C(1)(A)(II)

#### 5.2.5 Pittwater 21 Draft Local Environmental Plan

Use and development of the site is also governed by the proposed provisions of the Pittwater 21 Draft Local Environmental Plan.

##### **Zoning**

The proposed zoning is "Residential Protection" – Warriewood locality. Single dwelling house development is permissible in this zone, with development consent.

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<sup>1</sup> Urban Forestry Australia 'Aboriginal Assessment' for Ian Walters - Site Address 13 Bruce Street Warriewood dated October 2004 submitted to council as supporting information for DA No. N0799/04.

### 5.3 DEVELOPMENT CONTROL PLANS – S79C(1)(A)(III)

Policy provisions, to be assessed on their merits, are contained in

- Pittwater 21 Development Control Plan

#### 5.3.6 Pittwater 21 Development Control Plan

##### *Development Control Plan Numerical Assessment*

| Standard                                     | Required  | Proposed  | Compliance  |
|--|---|---|---|
| B3.2 Landslip Hazard                         | Not required  | Geotech assessment not submitted  | Yes   |
| B3.7 Acid Sulphate Soils                     | Controls for Class 5 land   | No disturbance of soil or groundwater levels.                                   | Yes   |
| B3.8 Contamination of Land                   | Assess likely contamination   | Residential Use.  | Yes   |
| B4.3 Biodiversity protection Category 3 Land | Do not reduce or degrade exist habitat  | No reduction or degradation of exist habitat                                    | Yes   |
| B5.1 Wastewater management                   | Connect to the Sydney water sewage waste disposal system.   | Existing connection reused  | Yes   |
| B5.2 Stormwater management - rainwater tanks | Provide tanks where new hard surface area of greater than 25m <sup>2</sup> is proposed                            | No additional hard surface area proposed.                                       | N/A   |
| B5.3 - Stormwater OSD                        | Provide tanks where new hard surface area of greater than 50m <sup>2</sup> is proposed                            | No additional hard surface area proposed.                                       | N/A   |
| B5.4 Stormwater discharge into public domain | Collected stormwater is to be directed to the public drainage system to which it would naturally flow.            | Retain existing. No works to external configuration                             | N/A   |
| B6.1 - Driveway                              | An access driveway must be provided for all dwellings where vehicular parking is provided on the development site | Existing access driveway.   | Yes.<br>Note: Arrangement does not comply but no changes to external works in this application. |
| B6.4 Off street vehicle requirements         | Minimum 2 spaces  | 1 existing space.   | No.<br>Note: No changes to external works in this application.                                  |
| C1.1 Landscaping                             | Canopy trees: 100% native.<br>Non canopy native vegetation: Minimum 50%   | Canopy trees: Existing (non native) significant Trees 1, 2 and 3 to be retained | N/A.<br>No landscape work proposed.   |

| Standard                      | Required  | Proposed   | Compliance   |
|-------------------------------|---|--|--|
|                               | Canopy trees- front yard: 2 minimum   | Existing palms to remain.  | N/A.   |
|                               | Canopy trees- rear yard: 1 minimum  | Existing Norfolk Island Pine to remain   | No landscape work proposed.  |
|                               | Landscape area – (front yard): 60% screening  | Minimal.   | N/A.<br>No landscape work proposed or change to landscaped area. 60% screening achievable for future application for Landscape |
| C1.2 Safety and Security      | Surveillance:<br><br>Allow visitors who approach the front door to be seen without the need to open the door.<br><br>Allow occupants to overlook public places. | Surveillance as required is maintained.  | Yes  |
|                               | Access:<br><br>The building entrance is to be clearly visible from the street, and is designed to be easily identifiable and will be appropriately lit.         | Access proposed is clearly visible.  | Yes  |
| C1.3 View sharing             | Building lines and height are to be sympathetic to the topography of the site and to maintain a reasonable sharing of views available.                          | No change to existing built form above roof gutter level. The only addition proposed (Entry porch) does not affect views | Yes  |
| C1.4 Solar access – (June 21) | Private open space - Hours of sunlight between 9am-3pm: 3hrs  | Private open space - Hours of sunlight between 9am-3pm: No change to existing  | Yes  |
|                               | Adjoining private open space -Hours of sunlight between 9am-3pm: 3hrs   | Adjoining private open space -Hours of sunlight between 9am-3pm: No change to existing                                   | Yes  |
|                               | Principal living areas -Hours of sunlight between 9am-3pm: 3hrs   | Principal living areas -Hours of sunlight between 9am-3pm: No change to existing   | Yes  |
|                               | Adjoining principal living areas -Hours of sunlight between   | Adjoining principal living areas -Hours of sunlight between  | Yes.   |



| Standard                       | Required  | Proposed  | Compliance   |
|--------------------------------|---|---|--|
|                                | 9am-3pm: 3hrs   | 9am-3pm: No change to existing                                      |  |
| C1.5 Visual Privacy            | Private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking. | No new windows with clear glass facing side boundaries              | Yes  |
|                                | Elevated decks, incorporate privacy screens where necessary   | Entry Porch screened by woven bronze mesh screen max 25% open area. | Yes  |
| C1.7 Private open space        | Minimum (>3m width): 80sqm  | Approx. 120 sqm west side only                                      | Yes  |
|                                | Minimum principal area (>4m width): 16m   | 4m x 13m = 52sqm  | Yes  |
| D14.4 Height                   | Maximum 8.5m  | Approx 7.2m   | Yes  |
| D14.7 Front setbacks           | Minimum 6.5m  | No changes proposed   | No.<br>Exist garage does not comply.   |
| D14.8 Side and rear setbacks   | Minimum 1.0m - 2.5m one side  | Minimum 1.0m except for entry porch 1500mm long<br>- 2.5m one side  | No<br>Refer to SEE D14.8   |
| D14.10 Foreshore Building Line | No development beyond the Line except for rear open decks to a maximum height of 2 metres provided views not obstructed.                            | No development beyond the Line.                                     | Yes  |
| D14.11 Building envelope       | A plane to be projected at 45 degrees from a height of 3.5 metres   | Existing building partially non compliant                           | No.<br>No changes to existing non compliance proposed.<br>Refer to SEE 14.11 |
| D14.13 Site coverage           | Maximum site coverage: 40%  | Existing 46%. No change to existing                                 | No.<br>Note: No changes to existing proposed.<br>Refer to SEE 14.13          |
|                                | Minimum landscaped area: 60%  | Existing 54%. No change to existing                                 | Note: No changes to existing proposed.<br>Refer to SEE 14.13                 |

#### **A4.0 Localities**

Locality is the Warriewood Locality

#### **B3.2 Landslip Hazard**

Under this clause development must comply with the requirements of the Interim Geotechnical Risk Management Policy for Pittwater.

However the application of the policy does not apply where:

- excavations greater than 1 metre deep, the edge of which is closer to the site boundary or a structure to be retained on the site, than the overall depth of the excavation and/or any excavation greater than 3 metres deep below the existing surface and/or
- any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property and/or
- any fill greater than 1.0 metres and/or
- any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to construction on sites with low bearing capacity soils.

Accordingly the works do not require a geotechnical assessment

#### **B3.7 Acid Sulphate Soils**

The land is identified as Class 5 on the Acid Sulphate soils Planning Map.

The works in ground are minor and as such will not result in the disturbance of soil or the change of groundwater levels.

#### **B3.7 Contaminated land and potentially contaminated land**

There is no indication of any contamination, nor does its past or existing residential use suggest it to be likely.

#### **B4.3 Biodiversity protection Category 3 Land**

The land is Habitat Category 3. The proposed development occupies previously cleared and developed land. Accordingly it shall not significantly reduce or degrade habitat for locally native species, vulnerable species, endangered populations or endangered ecological communities.

Council controls require any landscaping works are made up of 80% locally native plant species (ie species included in the endangered ecological community). In this application all proposed works are internal and do not include changes to the existing landscaping and external works. It is proposed that landscaping and external works of a substantial nature be submitted as a separate application in the near future.

#### **B5.1 Wastewater management**

Control: All premises shall be connected to the centralised sewage waste disposal system operated by Sydney Water where available.

The approximate location of the existing sewer line is indicated on the Site Plan dwg. No. DA01. The private sewer is to be assessed for adequacy and will be replaced or repaired if required to comply with relevant Codes.

#### **B5.2 Stormwater management - rainwater tanks**

Control: All development creating a new hard surface area of greater than 25m<sup>2</sup> must provide a rainwater tank for non-potable use connected to at least one external tap for garden watering purposes etc and/or for internal uses such as toilet flushing.

The proposal does not propose an increase in the hard surface area on the site and accordingly rainwater tanks are not required or proposed.

#### **B5.3 Stormwater management - on-site detention**

Control: An On-Site Detention (OSD) facility is to be installed where the development results in new hard surface area of 50m<sup>2</sup> or greater.

The proposal does not propose an increase in the hard surface area on the site and accordingly an OSD facility is not required or proposed.

#### ***B5.4 Stormwater discharge into public domain***

Control: Collected stormwater from a development is to be directed to the public drainage system to which it would naturally flow.

No changes are proposed to the existing gutters or downpipes discharging into the stormwater drainage system. The existing stormwater drainage on site is presently directed from the roof existing sub-surface drains.

#### ***B6.1 Access driveway***

Control: An access driveway must be provided for all dwellings or any development where vehicular parking is provided on the development site.

The site is currently serviced by an access driveway to a Garage on the street alignment. No changes are proposed to the current arrangement.

#### ***B6.4 Off-street vehicle requirements***

Control: Minimum 2 parking spaces are to be provided for each dwelling.

An existing single car garage will be retained. No work is currently proposed.

#### ***B8 Site Works Management***

The external works proposed are minimal reducing the risk of environmental damage due to soil disturbance and erosion and sediment run off.

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

The application is for substantially internal works. The only trees proposed for removal are shown on the plans as Tree No. 4 (Umbrella Tree) and Tree No. 5 (Norfolk Island Hibiscus).

Both trees are considered noxious and undesirable plants that must be removed from the site. The existing concrete path through the front lawn is to be removed and relocated. The disturbed area is to be grassed infill.

Landscaping (of the area between the front boundary and any built structures) is required to screen 60% of the buildings. The application does not affect the potential of a future application to achieve 60% screening.

As discussed earlier, it is envisaged that a considered and comprehensive landscape plan for the whole site be submitted with a future application for additional carparking and a swimming pool.

#### ***C1.2 Safety and security***

##### ***(i) Surveillance***

The design of the glazed entry door will allow visitors who approach the front door to be seen without the need to open the door. Occupants are able to overlook public places to maximise casual surveillance.

##### ***(ii) Access***

The building entrance will be clearly visible from the street, and is designed to be easily identifiable and will be appropriately lit.

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

There are no additions proposed that will impact on the existing views available from surrounding and nearby properties and those available to the public from nearby public foreshore areas will not be affected.

#### ***C1.4 Solar access***

The proposed dwelling is sited and designed to increase opportunities for solar access during mid-winter to the principal living areas in accordance with the requirements of this clause.

The only addition to the existing built form is a lightweight, glass roofed entry porch below existing eaves level that will have no impact on solar access to existing adjoining residential properties at any time of the year.

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

Existing visual privacy to adjoining private open space, recreation areas and living rooms is maintained and enhanced. No new windows are proposed are located on side boundaries. A vertical louvred window with translucent glass is proposed on the north east corner of the building replacing an existing horizontal window that currently overlooks private open space.

On the south boundary the entry porch incorporates a bronze woven mesh privacy screen to retain visual privacy from the external entry space. Windows in No. 15 facing the entry porch are not lighting habitable spaces.

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

Noise generating plant including air conditioning units and the like are not proposed for this application.

### ***C1.7 Private open space***

The existing private open space is to be retained. The level concrete paved space on the west of the building is approximately 4x13m (52sqm) and adjoins a sloping lawn area of approximately 70sqm. The proposed design incorporates glass sliding doors so that the private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.

This space has good solar orientation giving access to winter sun from 11.00am to 3.00pm.

### ***D14.1 Character as viewed from a public place***

The existing building form is located below the street level and accordingly is dominated by the simple pitched hip roof. The eaves are 600mm wide and wide to provide a sheltered 'pavilion' form which is to be articulated by the provision of floor to ceiling glass walls adding visual depth to the existing elevation minimising the bulkiness of the existing building.

### ***D14.2 Scenic protection***

The development when viewed Warriewood Beach will be substantially similar to the existing building. When viewed from the Public Space at the eastern boundary the transparency of the glass walls and renovation of existing external finishes will present a high quality appearance that will enhance the scenic qualities of the escarpment.

### ***D14.3 Building colours, materials and construction***

It is proposed to retain the existing cream weatherboards and existing terra cotta roofs to minimise construction cost.

It is noted that light coloured, red or orange roofs and walls are not permitted however in this case it is argued that an existing building will have increased areas of clear glass under the shadow of the eaves to reduce the visual prominence of the cream weatherboards, particularly from the Warriewood Beach aspect.

### ***D14.4 Height***

The existing dwelling complies with the maximum height limit of 8.5 metres. No changes are proposed to the building's existing height.

### ***D14.7 Front building line***

The front building line is 6.5m. The existing garage does not comply with the front building line as built structures, other than driveways, fences and retaining walls are not permitted within the front building setback.

No additional building structure is to proposed within the front building line.

### ***D14.8 Side and rear building line***

The side boundary setback requirement is 2.5m to at least one side and 1.0m to the other side. The rear setback requirement does not apply to this block as it is superceded by the Foreshore Building Line requirements.

The subject site and existing dwelling complies with the requirement for a side setback of 2.5m on the north side and complies with the 1.0m setback on the south side except for the proposed entry porch.

\* It is submitted that in the circumstances of this particular case it is unreasonable and unnecessary to apply the 1.0m side setback to the entry porch component for the following reasons;

- The entry porch is only 1500mm wide x 1200mm high, open on its end, frameless glazed overhead and as a result has no significant impact on the bulk and scale of the built form.
- Equitable preservation of views and vistas to and/or from public/private places is maintained
- A reasonable level of privacy is maintained to No. 11 by the proposed screening applied to the entry porch structure from the existing fence as one approaches the entry point. Windows opposite the porch are for non habitable rooms and the sill levels are at RL 29.80 which is at least 2m above the ground floor level of No.11
- There is no impact on solar access to adjoining residential properties.
- The existence or otherwise of the entry porch will have no impact on the potential for the site to incorporate substantial landscaping, a mature tree canopy and an attractive streetscape.
- The entry location results in a reduction of the existing spatial and movement conflicts of public entry spaces and private open space resulting in more functional useable space in a small dwelling.

***D14.10 Foreshore Building Line***

The existing building complies with the Foreshore Building Line. No additions are proposed within the Foreshore Building Line.

***D14.11 Building envelope***

The building envelope is a plane to be projected at 45 degrees from a height of 3.5 metres above natural ground level at the side boundaries to the maximum height of 8.5m.

The existing building envelope complies with Council requirements on the northern side boundary and also on the southern boundary for approximately 50% of its length.

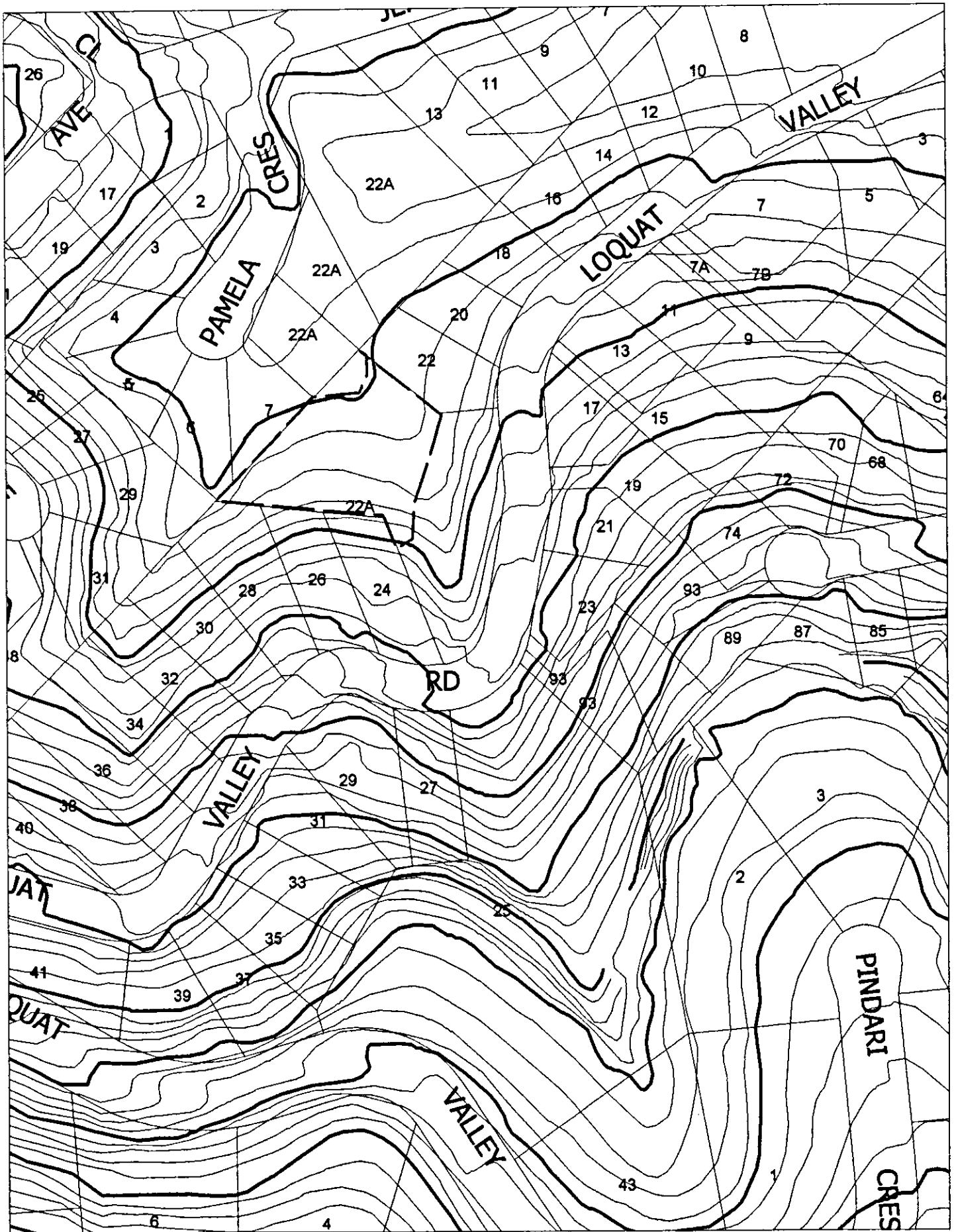
There are no additions proposed that encroach the building envelope control plane.

***D14.13 Site coverage - Environmentally Sensitive Land***

Maximum permissible site coverage is (210sqm) 40% and the minimum permissible landscaped area is 60% (315sqm).

The existing site coverage is (239sqm) 46% and the landscaped area is 54% (287sqm) and does not strictly comply with this control.

The proposed site coverage is unchanged in this application.



Pindari and Loquat Valley Reserve  
Pittwater



Scale 1:1,837 cm