

STATEMENT OF ENVIRONMENTAL EFFECTS (SofEE)

107 Iris Street, Beacon Hill, NSW 2100

August 2024

PROJECT APPLICANT

Maree Jaloussis

CLIENTS

Maree and Michael Hayes

PROPOSAL DESCRIPTION

Proposed Torrens Title Subdivision of 1 lot into 3 lots.

PROPOSAL REFERENCE NUMBER

PAN 463323

LOT Plan Number:

18/ DP19022

Council:

Northern Beaches Council

Report Prepared by

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107 Iris Street, Beacon Hill - View from Iris Street western side.

A 34.695mt frontage and depth of 64.842mt.

This starts on the left side of the concrete riser (just to the left of the left palm trunk) and the right boundary is to the right side of the existing access driveway brick bolard.

*The current driveway has a large bend in it and doesn't travel straight up the boundary.
The newly proposed driveway will.*

The brown 1 storey house belongs to 107 Iris Street.

The red double storey house is 45 Oxford Falls Road. The eastern boundary neighbours.

They have approval for a 541m² subdivided lot at the front of their lot.

1. Introduction

This Statement of Environmental Effects (SofEE) is prepared in support of the Development Application for the proposed Torrens Title subdivision of one lot into four lots, at 107 Iris Street, Beacon Hill, NSW 2100 made from the existing crossing and is made under Part 4 of the Environmental Planning and Assessment Act 1979.

This Statement details the proposed developments consistent with the applicable environmental planning instruments and development control plans including:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Act 2000
- Warringah Local Environmental Plan Act 2011
- Warringah Development Control Plan 2022

The proposed development is detailed in the Application package submitted along with this document. After rejection in December 2024 for a 4 Lot subdivision as per the pre- DA meeting.

We have since meet with Peter Robinson, Executive Manager Development Applications and Steven Findlay, Central Area Manager who have seen the site due to its usualness and have stated that they would support this pattern and sizing being offered in this DA.

It is understood throughout the previous DA that this is a 2 Stage subdivision for of land only is subdividable without needing a building proposal, it is understood that Council know that this is not a multi-dwelling application.

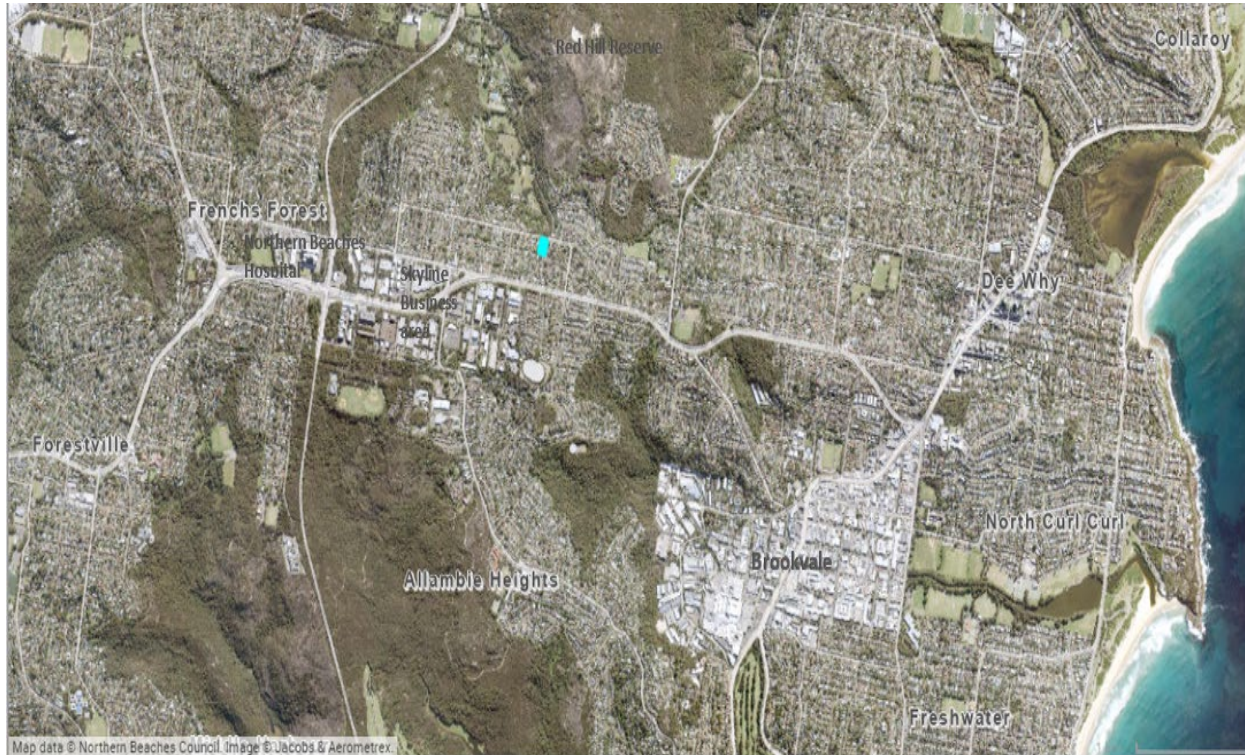
Only a Staged Subdivision Certificate is being sort in this Development Application. Future DAs will address the requirement for any Construction Certificates independently.

2. Site Location and Analysis

Site Suburb Location Map

107 Iris Street, Beacon Hill

in relation to surrounding suburb localities. (Property shaded in aqua)



As shown in the **site suburb location map** in relation to surrounding areas, the subject site is located in Beacon Hill, less than one (1) kilometer from the Skyline business area, two (2) kilometers from the Frenchs Forest Health and Education precinct and future center and three (3) kilometers from the Brookvale Business and Westfield Shopping Precinct.

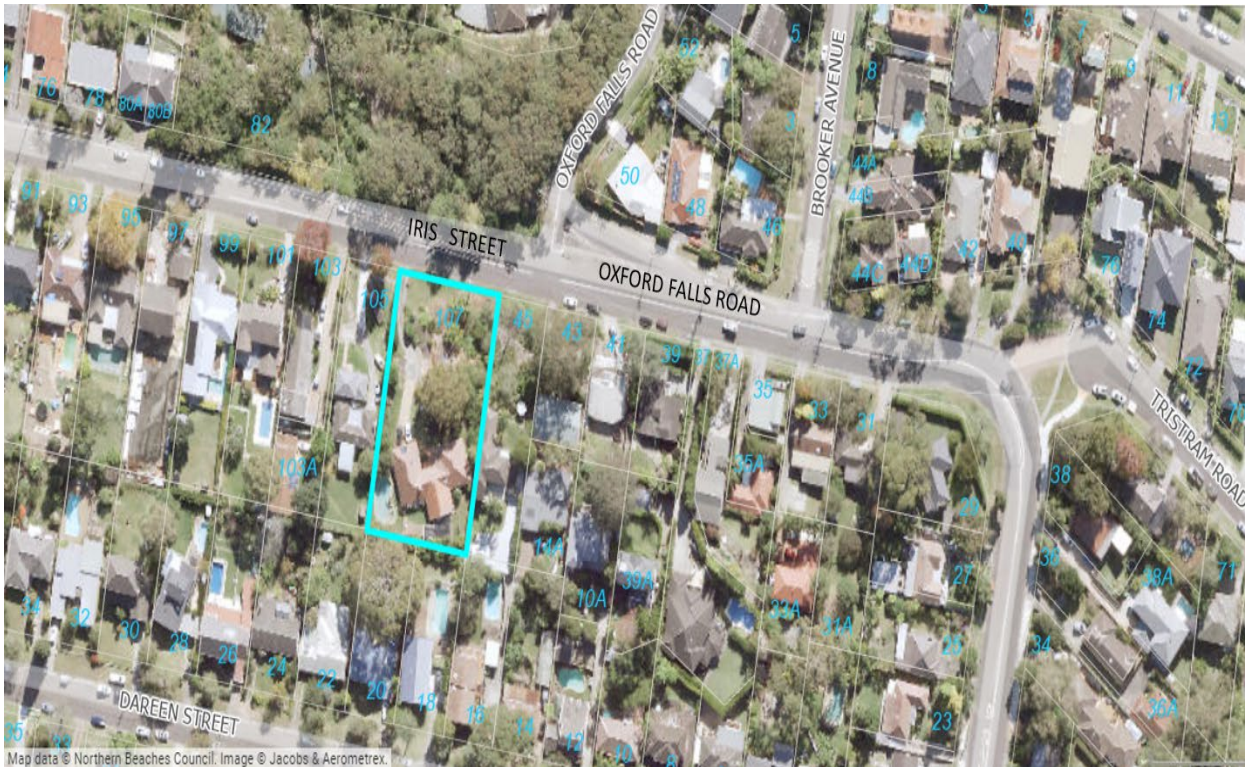
It is also in a 7 minute proximity to recreational areas, including Red Hill Reserve and sacred sites, Beacon Hill Oval, Wakehurst parkway walks and trails, Dee Why, Curl Curl and in close proximity to other Northern beaches and recreational areas.

Public transport bus routes that run along Iris Street with major bus routes on Warringah Road only a 500mts walk away.

Site Immediate Locality Map

107 Iris Street, Beacon Hill

In relation to immediate locality (Outlined in aqua)



The **site immediate locality map** illustrates that the subject is located in a residential area with a land zoning of WLEP2011- R2 Low density residential.

The site has a very large block size for the immediate locality, with an area of 2254.8m².

In the surrounding locality there are a variety of lot sizes (as per the R2 objectives), many of which are below 600 m2. There are a variety of residential styles, materials and one and two storey dwellings in the vicinity.

Almost all lots to the east (right) of the block are 600 or less. All blocks that are half the size of 107 Iris Street have been subdivided including most recently the block directly next door 45 Oxford Falls Road. 107 is the last number in the street as it used to be a dead end road. It was later opened up so the neighbour directly to the east (right) is actually 45 Oxford Falls Road Beacon Hill. See next picture.

Site Detail Map

107 Iris Street, Beacon Hill

(Outlined in aqua)



The subject site is located at 107 Iris Street, Beacon Hill.

It is situated on the southern side of Iris Street and is the last house number on Iris Street 2 blocks before where the roundabout meets and continues as Oxford Falls Road, Beacon Hill.

(Please note that the location photos were taken prior to the roundabout being built).

WLEP 2011

- The site is zoned R2 – Low Density residential
- The site is subject to the Northern Beaches Council Bush Fire Prone Map.
- The site is subject to WLEP 2011- Land Slip Risk Area Map – Area A and Area B.
- The site is subject to WDCP – Landscaped Open Space and Bushland Setting 40% of site.

These are all addressed within this report.

3. Site Description

Picture of Site

107 Iris Street, Beacon Hill

View from Iris Street showing eastern boundary edge to western boundary edge



The subject site is located at 107 Iris Street, Beacon Hill and is Lot 18 in Deposited Plan 19022.

The site area is 2254.8m². It is rectangular in shape and is 34.695 mts wide (east/west frontage) and 65.005mts deep (north/south side boundaries).

Looking at the site from Iris Street;

The left boundary is situated on the left side of the concrete riser.

The right boundary is on the right side of the right-side brick entry pier.

At the rear, southern part of the site is an existing 5 bedroom, 4 bathroom, brick and tiled dwelling with terrace, garden, cabana, tool shed and swimming pool.

Vehicular access is via a cross over and driveway from Iris Street at the western side of the site and extending to the double garage of the existing house.

107 Iris Street, Beacon Hill

Eastern Side View of existing house at the midway line of the site and English Oak Tree.



The site slopes from the south (rear of the block) towards Iris Street and has a fall of approximately 10 meters. The site has a pleasant prospect with filtered bush views through the Oak tree, towards the Oxford Falls rural and Red Hill recreational areas.

The site has a northern orientation towards Iris Street. This northerly aspect together with the 10mts slope is advantageous to the future dwelling design potential of the site.

Northerly aspect from the proposed Lot 3.



The northern orientation towards the direction of Iris Street together with the slope is advantageous to the future dwelling design potential of the site for an average size dwelling.

This picture below shows the rock escarpment that rises p 3.3 mts from the street frontage at the highest on the eastern side and slopes down towards the west along the block frontage with some other natural rock to approximately 200mm height.

Above the fern (to the very left of the concrete rise) on the left boundary. Just to the left is where our neighbour 45 Oxford Falls Rd will be building in the near future and to the right/west the set-back second/granny flat dwelling on 105 Iris Street.



The rockface sits behind the building line which at it's highest (on the left near the concrete riser) reaches 3.3 mts, this leads up to the grassy terrace on the left and bushy garden on the right. Behind this is the sandstone rock platform that starts approximately 3 mts behind the building setback line and is generally flat in most places with an elevation at the back eastern side of the platform of 1-2mts around where the private pole sits (which will be taken down as all electricity will run up the western boundary along the fence line). The private pole will be used in construction to hold the electricity box during construction of the new services are complete and the new dwelling electricity base ready.

The photo below features the sandstone rock platform that is in the northern area of the site in the proposed Lot 1. View of rock shelves/outcrop and existing house with even more rock below, to the left of this photo.



In the middle, left of the site is a mature English Oak tree (Quercus robur) which is being preserved.
An Arborist Impact Assessment report has been prepared by Sydney Arborist, dated August 2024 and discusses the management and protection of the tree and forms part of the application.

4. Proposed Subdivision

This development application is seeking consent for the Torrens Title subdivision of the subject site from one (1) lot into three (3) lots including new vehicular access driveway. This will be carried out in 2 Stages.

Lot sizes

In order to create 3 viable lots including associated access driveways and easements, the lot sizes result in site areas that are less than the WLEP Cl 4.1 R2 zoning standard of 600 m². However, they are within the 10% variation and fall under consideration by council.

Due to the lot constraints and rejection of the previous DA the Northern Beaches Council senior manager Peter Robinson, Executive Manager, DAs and Steven Findlay the DA Area Manager met at the site on 3 July to discuss options for this unusual site. Agreement was reached that this was the best plan for the allotment.

The proposed Master Plan for this site is for the subdivision to be carried out in two stages. Stage 1 would comprise of Lot 1 closest to Iris Street and Lot 2 to comprise of the existing dwelling which sits on approximately 1100m². Stage 1 will also include the installation of all services for the entire site being carried out. Those for Lot 2 & 3 would however need to be tied off near stormwater Pits 4 and 5, just inside Lot 2 ready for Stage 2 development.

Stage 2 will see the Stage 2 Driveway (east/west) Plans and Stormwater for lots 2 & 3 completed as part of Stage 2. **This ensures the Tree Protection Zone (TPZ) area is only dug up once, thus protecting the Oak Tree.** The existing dwelling at the rear of the block is to be retained in Stage 1 and situated on the newly created battle-axe Lot 2.

At the point of Stage 2, Lot 2 will form the proposed Lots 2 & 3. These are each sized at 540.6²m and 549.8m².

Stage 1 the lots will be numbered 107 (Lot 1) and 109 (Lot 2) until Stage 2, when 109 /Lot 2 will be renumbered into 109 and 111. This is achievable as currently the existing allotment 107 is the last number in the street.

Vehicular access

The existing/current cross over and driveway (DW) runs from Iris Street with a large curve in the middle of the driveway.

The proposed crossover and driveway will be located on the same place but instead will run straight up along the western boundary with a 800-1000mm allowance for services and a hedge. All the lots will be accessed via the single crossover and driveway, as requested by Council.

Lot 1 will be entering into its allotment from 11.1 mt from the DW/ access handle on the western boundary and Lots 2 and 3 will have a shared east/west access handle at the middle of the site behind the Oak tree.

Stage 1 will see the Driveway (DW) stop at the top of Lot 1 inline with the current Driveway. Lot 1 will have its personal entry from the DW and Lot 2 has ample turning space in its current area until Stage 2 is developed.

Stage 2 will see the Driveway completed as part of the Stage 2 in conjunction with the to be proposed building plans. This will ensure that the TPZ is only affected once, therefore giving the tree the best chance of survival.

For the protection of the Oak tree it is advised to only have one concrete pour and that will be once the building plans are approved. This is supported by the Arborist. Also, it is unnecessary as the new western boundary part of the Driveway will meet up closely with the existing driveway with the existing dwelling having enough space to ensure easy ingress/egress using the extensive available space in that area. The Driveway is clear and unimpeded of an obstruction or visual hinderances, and at this point will only be used by the one existing dwelling at the rear.

It is understood throughout the previous DA and in this DA that this is a 2 Stage Subdivision DA of land only and is sub-dividable without needing a building proposal, it is understood that Council know that this is not a multi-dwelling application.

Only a Staged Subdivision Certificate is being sort in this Development Application. Future DAs will address the requirement for Construction Certificates independently.

Landscape considerations

The subject site is classified under Warringal DCP -D1 – Landscaped Open Space and Bushland Setting. The Proposed subdivision lots are able maintain a minimum of 40% of the site as soft landscaped area.



In the middle eastern side of the site is a mature English Oak tree (*Quercus robur*) that will be preserved and protected. A report has been prepared by Sydney Arborist dated 30/01/2023 and since updated for the new August 2024 Subdivision DA and is part of this submission.

As per the Arboriculturist Impact Assessment report, consideration has been made regarding the root zone and structural measures to ensure that the driveway will not adversely impact the tree.

The Arborist has supported in their report that this is achievable by using metal piers between any roots for structural support and a suspended slab.

It is proposed that the Driveway which is the only impacting building work to happen within the TPZ will be done in Stage 2 to ensure all the services can be completed first and the driveway up to the end of Lot 1 in Stage 1.

Then when the Building DA goes in so that the Driveway and access points to the lots will be completed in one pour to ensure only 1 impact when working on the tree roots in the TPZ happens

Where the proposed Lot 1 indicative dwelling location is all sandstone rock and the Arborist has said any building will not interfere with the tree as the roots will not go onto rock. Therefore the building can run right along the existing retaining wall.

The applicants are very conscious of keeping the greening of the site and from the start have wanted to keep the significant Oak. Thus, ensuring that the objectives of the LEP are met and even exceeded in keeping within the character of the area.

Submitted is an indicative landscape plan to show how the front of the rock escarpment can be enhanced with natives and also water loving plants for the rainwater garden.

On the western boundary, as per the Local Environment Plan further landscaping will occur on the 500-1000mm just inside the fence and for the length of the boundary and driveway. This area will also house the services to the top of the driveway. To ensure the greening of the site, trees (mostly native) will be planted to give the area the continued feeling of nature and provide privacy for neighbours.

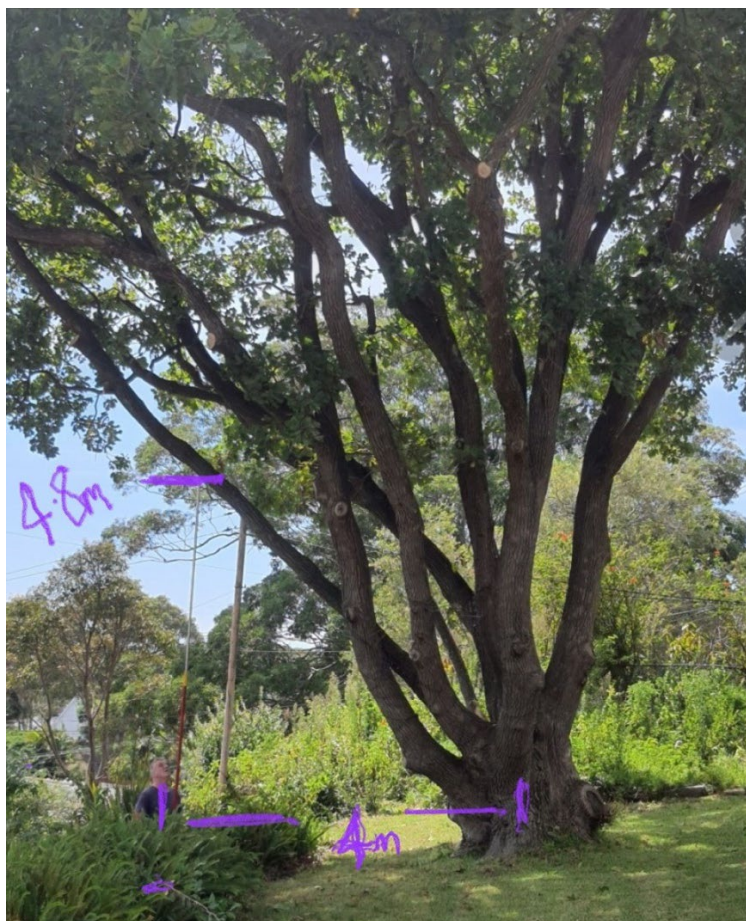
Next to this will be the 3.5 metre driveway required width (as per the DCP standard for 1-4 lots) to top of the proposed rear boundary where it then turns to the east to continue onto Lots 2 & 3. As it approaches the top it widens to turn into a passing around on the curve of 11mts (DCP says at least 10mts) by 5mts in which it has been shown in the Driveway Sweep paths included in this application.

It is proposed that the blocks will offer the community an entry level into the market where two houses can be later built, that continue the sensitivity in keeping within the surrounding areas natural bush beauty.

In order for understanding the size of the tree and how it is feasible to build under it.

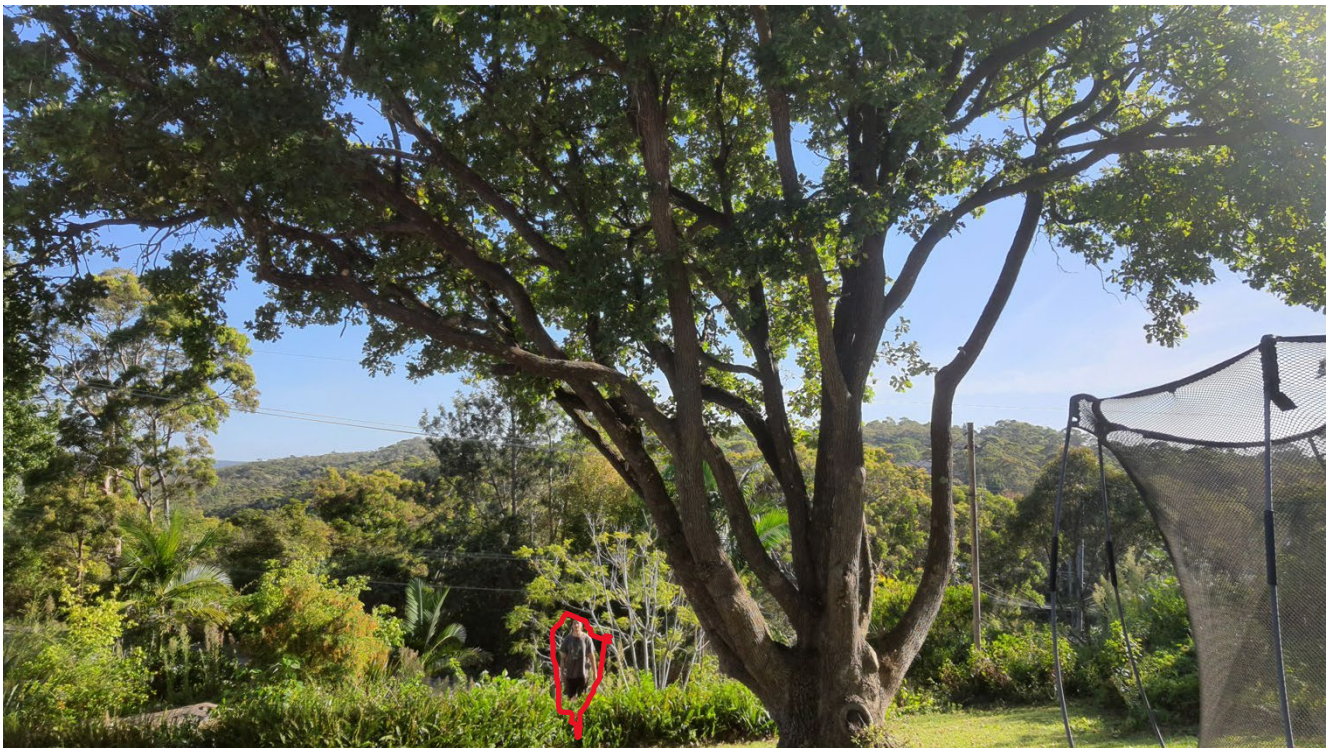
This picture shows the lowest branch area when standing just outside the northly point of the SRZ (Structural Root Zone) which is at 3.6mts. Here you can see the man just behind the fern which is on the Rock retaining wall, where the house will be mostly built. At this point the indicative dwelling is set back some 2 mts from this area of the tree.

The pictures below shows the lowest canopy level is 6.8mts which is well above the indicative building plan height. Between the two measurements at 5.8mt is at about 6mts in front the tree where on the indicative building plan (in the next couple of pages) you can see the allowance for this area. Showing there is ample room under the room for building to the proposed approximately 6mts. This is will further addressed in the Construction Construction DA.



The lowest 2 branches seen here fall towards the neighbouring property outside of the build zone.

The next pictures shows just how high of the rock building level that this tree actually is.
Once built under it will be an outstanding feature above the new dwelling.



This young man is 2mts (6.6ft) tall and standing on the rock.

Sewer Mains Easement

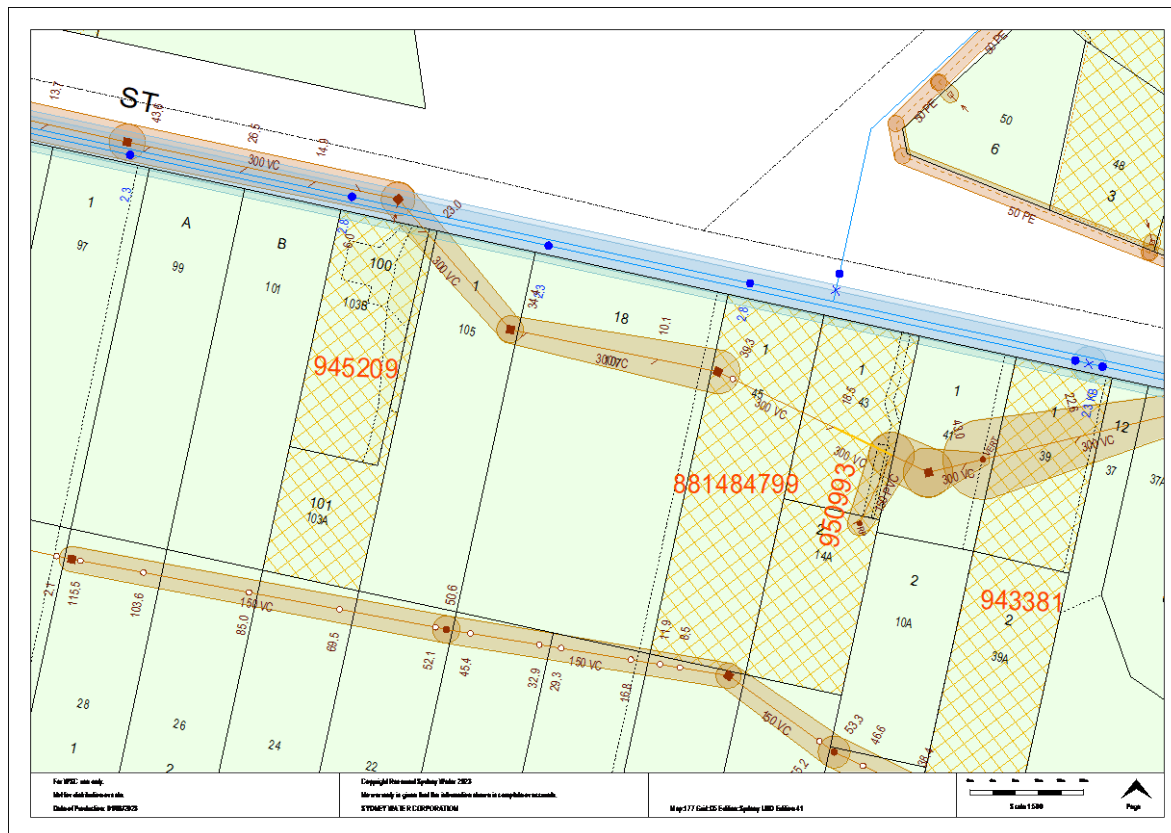
Situated behind the building setback at 13mts is a Sewer Mains Easement that has been cut into the rock and is encased over the top with concrete.

Professional advice from MGP and Sydney Water advisors have stated that this is not a concern to the development as done with dwellings to the east of the site (ie 39 & 41 Oxford Falls Road etc) and it can be built over.

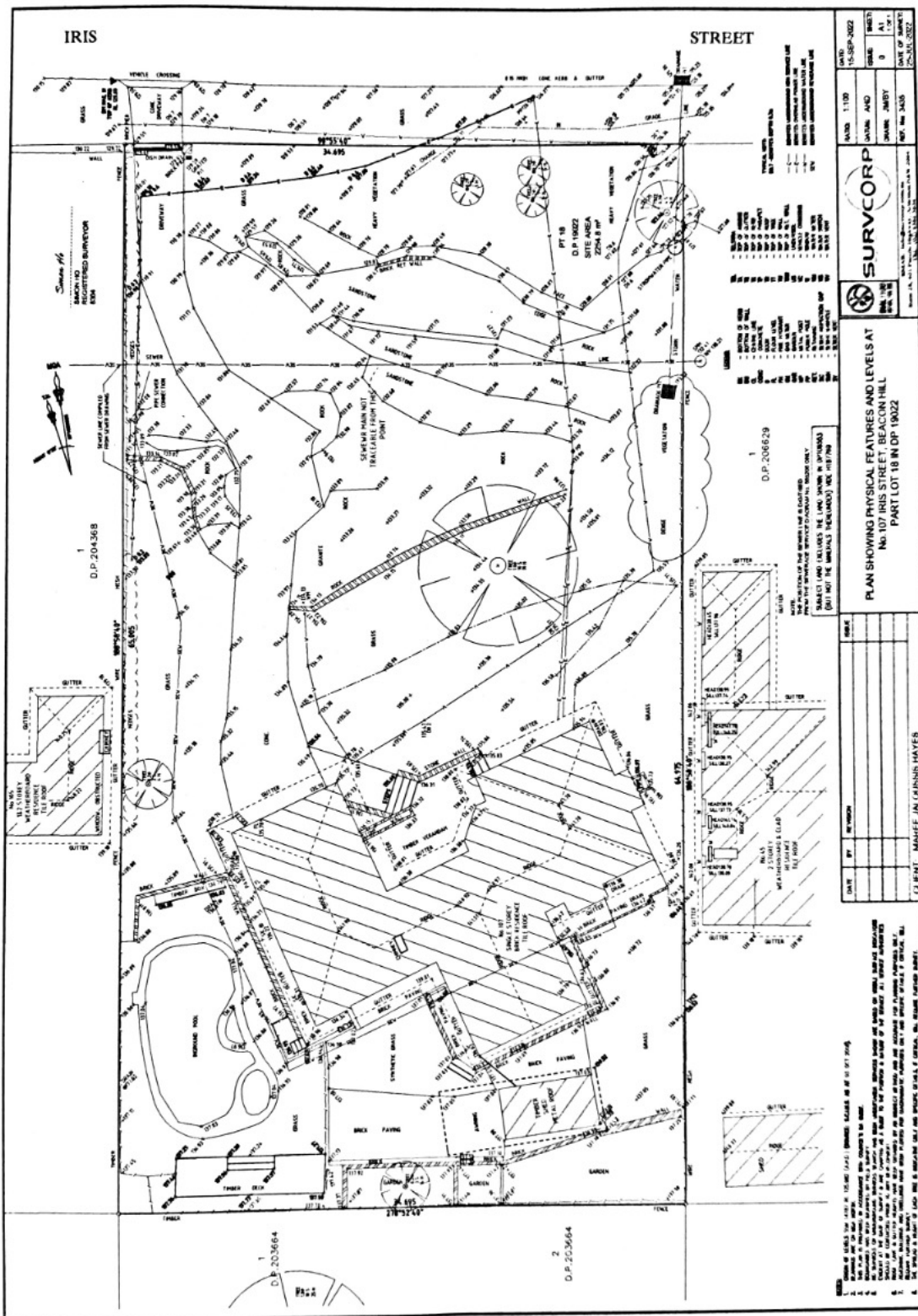
The standard requirement is with a 450 mm gap between it and the underside of any dwelling (ref MGP Pty Ltd). Once they have the building plans they will assess how they will carry out the final connection works and as is standard they require Subdivision approval before starting any works.

Having said that the mains are currently encased in concrete.

The line already has a Y junction in 2 locations (see the / off the sewer line below) for new connection. This will be done as part of the services installment.



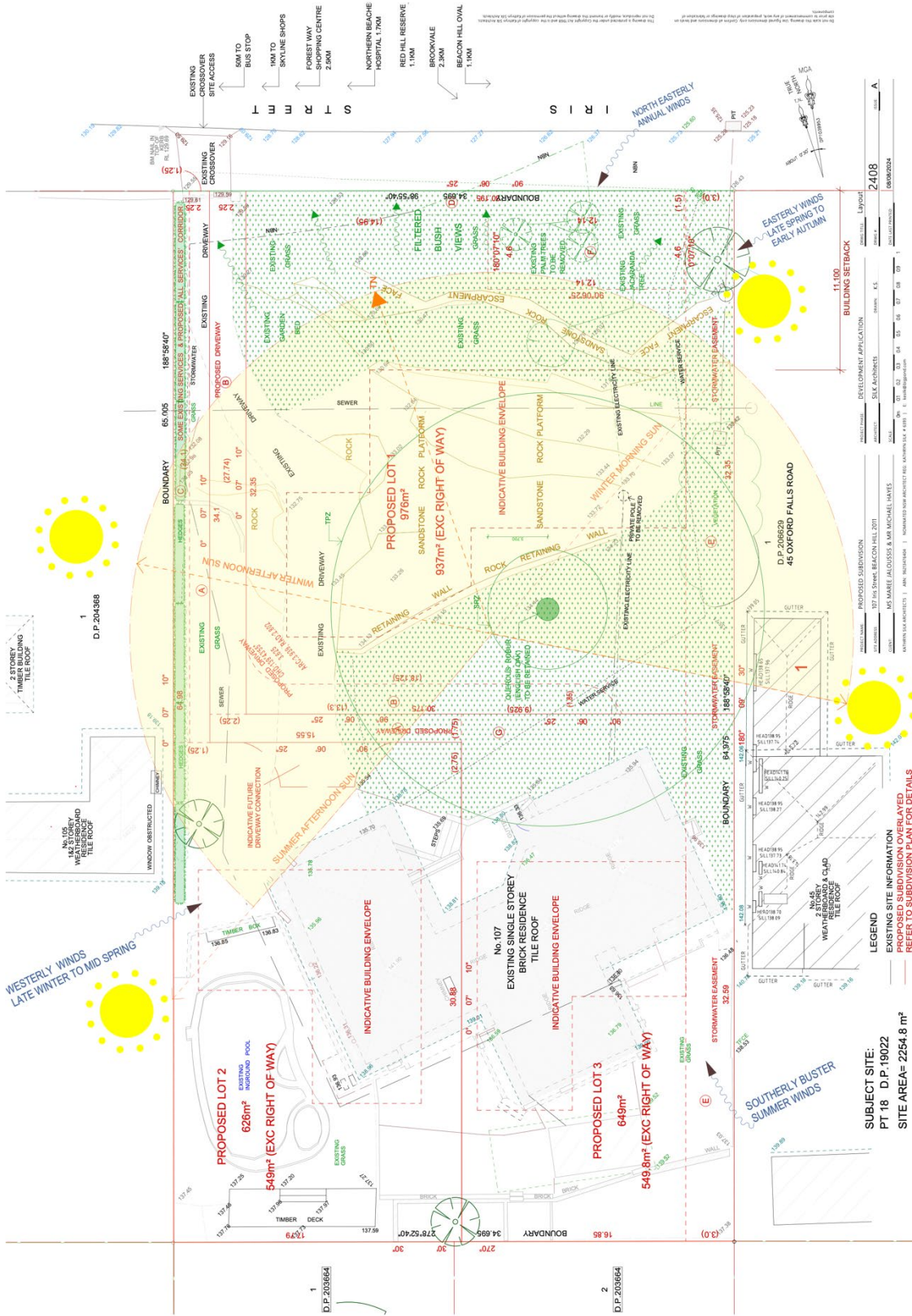
5. Survey



Sheet 1 of 1 sheets



7. Site Analysis Plan



8. Statutory Framework

8.1 Local Environmental Planning (LEP) Instruments

Warringah Local Environmental Plan 2011 (WLEP2011)

(Referred to in detail in the attached Exemption request)

Clause 2.6 Subdivision - Consent requirements

(1) Land to which this Plan applies may be subdivided, but only with development consent.

Notes.

1 If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, such as this Plan or [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#), [the Act](#) enables it to be carried out without development consent.

2 Part 6 of [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) provides that the strata subdivision of a [building](#) in certain circumstances is **complying development**.

(2) Development consent must not be granted for the subdivision of land on which a [secondary dwelling](#) is situated if the subdivision would result in the principal dwelling and the [secondary dwelling](#) being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the [Lot SizeMap](#) in relation to that land.

Note. The definition of **secondary dwelling** in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling

RESPONSE:

- The proposed development seeks subdivision under Clause 2.6(1)
- The proposed subdivision is less than the R2 Residential zone minimum lot size of 600m² but within the 10% variation allowed under council own discretion based on the merit of the situation.
- The proposal seeks an Exemption under WLEP Clause 4.6 which is included in this document.

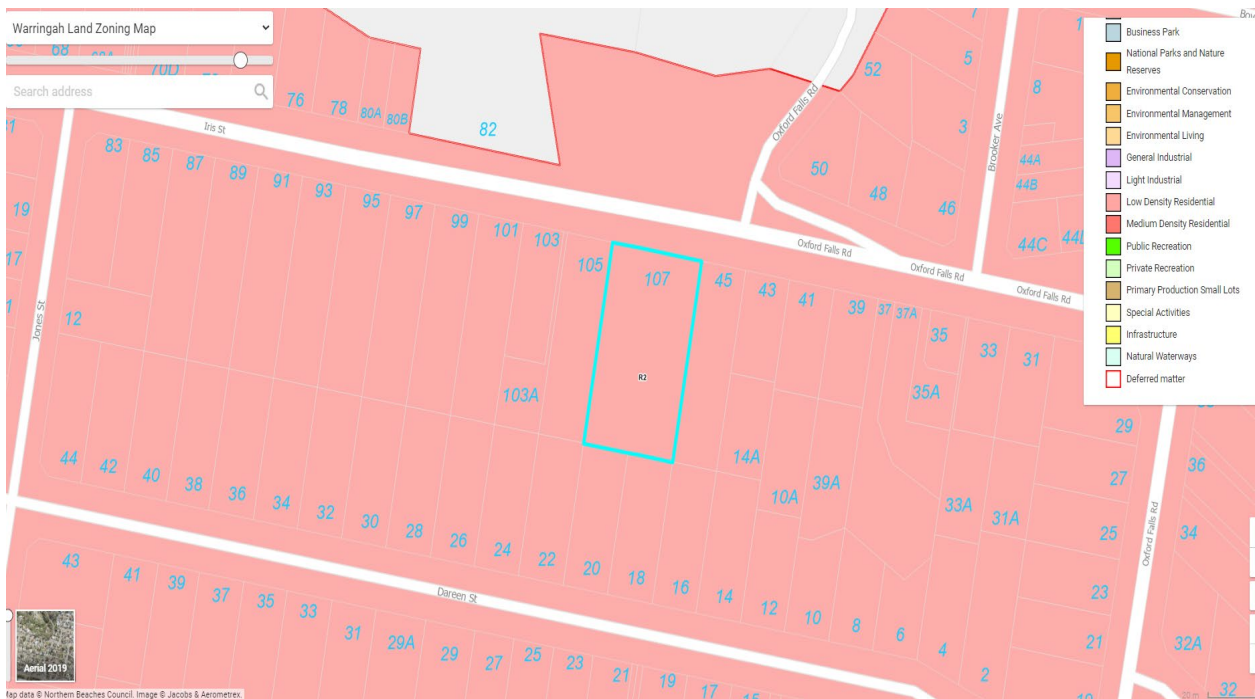
Clause 4.1 - Zone R2 - Low Density Residential.

The proposed Subdivision meets with objectives 1 and 3 of the Zone.

Objectives of zone

1. To provide for the housing needs of the community within a low-density residential environment.
2. To enable other land uses that provides facilities or services to meet the day-to-day needs of residents.
3. To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

Warringah LEP 2011- Land Zoning Map



RESPONSE:

1. The subject site is zoned R2 – Low Density Residential
2. In this zoning the minimum subdivision lot size is 600 m²
3. To enable the subject site to be subdivided into three (3) viable lots, the minimum lot size has been reduced from the zoning standard.
4. The site area of each lot excludes any access handles and easements.
5. The lot sizes follows including variation from the standard:
 - Lot 1: 915 m² Complies
 - Lot 2: 540.6 m² (9.2% variation from the standard)
 - Lot 3: 549.8 m² (9.9% variation from the standard)
6. It is considered that this proposed development be assessed as compatible with the governing zone objectives and recognised as necessary due to the constraints on the site of the rock escarpment resulting in the increased building set back to 11.1mts, the Oak tree and council requested 3mts Stormwater easement.
7. The proposed lots while being less than 600m² but over 540m² are still compatible with a significant portion of properties in the R2 zoning.
8. There is a need for smaller, more affordable blocks, which this development provides.
9. The Lots are in close proximity to facilities and services that meet the day-to-day needs of residents. Less than 1 km from the Skyline business area, 2 kms from the Frenchs Forest Health and Education precinct and future center and 3 kms from the Brookvale Business and Westfield Shopping Precinct.

10. It is also in proximity to recreational areas, including parks, Red Hill Reserve, Oxford Falls recreational facilities, Beacon Hill Oval and Dee Why and other northern beaches and recreational areas.
11. The subject site is also in proximity to a public transport bus routes along Iris Street and Warringah Road.
12. The proposed subdivision directly aims to provide for the housing needs of the community with negligible impacts on environmentally sensitive locations and scenic quality.
13. The subdivision concept design allows for all the lots to benefit from a Northern aspect and leafy prospect with partial district bush views of the locality.
14. The subdivision will allow for the harmonious landscape settings with the natural environment of Warringah.
15. The Old English Oak tree is non-native yet a significant feature on the block and in the streetscape, so will be preserved and protected.
16. As part of the development a privacy hedge will be added along the access handle to encourage birdlife and add to the nature harmony of the area.
17. As the proposal is less than the WLEP 2011 4.1 standard, an exemption is sought under WLEP Clause 4.6 which can be found in this submission.

Clause 4.2 Permitted without consent

Home-based child care; Home occupations

RESPONSE:

NA

Clause 4.3 Permitted with consent

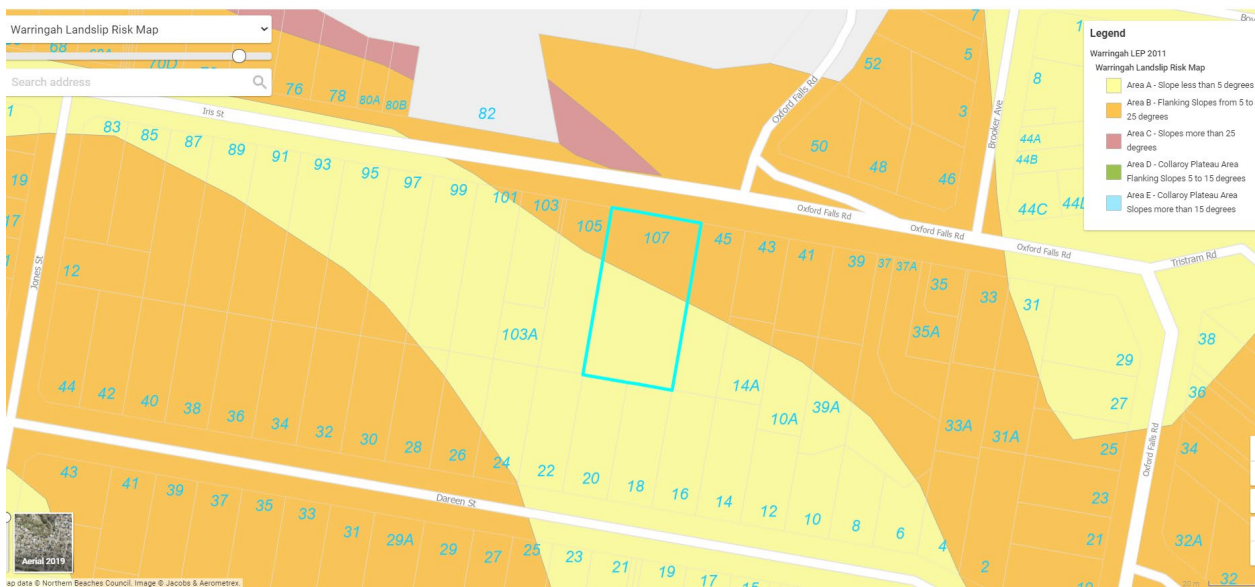
*Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; **Dwelling houses**; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centers; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals*

RESPONSE:

Dwelling houses are permitted.

It is envisaged that this proposed development be assessed as compatible with the governing zone objectives.

Warringah LEP 2011- Land Slip Risk Area



Clause 6.4 Development on sloping land

Response:

1. The subject site appears on the Warringah LEP 2011- Land Slip Risk Area Map.
2. The southern two thirds (in yellow) are classified as Area A – Slope of less than 5 degrees.
3. The northern third of the site (in orange) is classified Area B – Flanking slopes from 5 to 25 degrees.
4. As Area B is mostly on solid sandstone and terraced slippage unlikely.
5. **The proposed development is not envisaged to be associable with;**
 - Significant risk associated with landslides in relation to both property and life.
 - Significant detrimental impacts because of storm water discharge from the development site.
 - Significant impact on or affect the existing subsurface flow conditions.
6. The Geotechnical report by prepared by Geotechnical Consultants Australia on 3 December 2019 is further supported by a Geotechnical Review of the proposed building methods which are supported in this report for our previous DA lodgment. Whilst the indicative plans have changed from the previous DA the proposed building methods have not. Due to no structural changes happening to the site since this report was written it is also included here for this application should it be required.

8.2 Development Control Plan (DCP)

Warringah Development Control Plan 2011

The following DCP standards have been responded to as per Councils Pre-DA requests.

Development Standard & Requirements	Compliance/ Proposed
B5 – Side Boundary setback Objectives • To provide opportunities for deep soil landscape areas • To ensure that development does not become visually dominant • To ensure that the scale and bulk of buildings is minimised • To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained • To provide reasonable sharing of views to and from public and private properties Requirements: As per DCP Map is 900mm.	The development site is subject to a minimum side setback of 900mm, and the allotments meet this requirement. However, along the western boundary will run the 3.5m driveway included will be an easement for the services of 1000mm in this on the western side boundary. On top of this will be a planting of native hedge for natural landscaping and soft grassy plants in front, privacy and softening of the driveway. The existing 1mt mesh fence will be retained and as previously the hedge will become a dividing boundary feature. On the Eastern Boundary there is a stormwater easement that council require access to and have requested a 3 meters wide easement as such no further set back is required.

B7 – Front Boundary setback Objectives • To create a sense of openness • To maintain the visual continuity and pattern of buildings and landscape elements • To protect and enhance the visual quality of streetscapes and public spaces • To achieve reasonable view sharing Requirements: As per DCP Map is 6.5mts.	The DCP requires a 6.5m front setback. The future dwelling within proposed Lot 1 will have an 11.1mt setback due to Council wanting to have the entire rock outcrop building free across it's rockface escarpment. This is therefore achieved. Due to the steeply sloping topography of the site, the driveway for Lot 1 will enter in off the existing crossover and the newly proposed straight north/south driveway This way the front can be left as part of the soft landscaping requirements and entrance to the house therefore removing the bulkiness of a driveway and improving the quality of the streetscape. Lots 2 and 3 comply with the 6.5 mt front setback. Due to the wide passing bay required for Lot 2 (5mts) we request this be included in the front setback for the back lots 2 & 3 as it already offers a buffer of a minimum of 3.5 – 5mt from the DW. Along with a further from the 3.5mt (set back) with the individual driveway entrance into each lot taking it to a total minimum set back of at least 7mt. We request of Council this be assessed under B10 merit assessment.
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B9 – Rear Boundary setback Objectives • To ensure opportunities for deep soil landscape areas are maintained • To create a sense of openness in rear yards • To preserve the amenity of adjacent land, particularly relating to privacy between buildings, rear gardens and landscape elements • To provide opportunities to maintain privacy between dwellings Requirements: As per DCP Map is 6mts. B10 – Merit assessment of Rear Boundary setbacks Objectives Rear boundary setbacks will be determined on a merit basis and will have regard to: • streetscape; • amenity of surrounding properties; and • setbacks of neighbouring development	The DCP requires a 6.0m rear setback. In consideration of the subdivision layout and driveway access as suggested by Council to ensure forward in, forward out access and increased setback for the rock escarpment, it is requested that this requirement be flexible to allow for suitable access and the amenity of the subdivided lots. We request of Council this be assessed under B10 merit assessment. Lot 1 has the Driveway access handle which encompasses it's west and east boundaries, as such we request that the 3.5 -5mt east/west DW form part of the rear boundary setback and that the internal setback be allow to be included and therefore no more than 2.5mts in the area around the east/west DW. In total there will be a minimum of a 6mt setback up to the southern side of the east/west DW with the front setback for Lot 2 & 3 adding an additional 3.5mts offering further privacy for all lots. Lots 2 & 3 compliance to the 6 metre rear setback meet the setback requirements. It is considered that privacy between dwellings will be maintained due to the subdivision lay out which will be detailed in the Dwelling Construction Plans DA plans for Stage 2.
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C1 – Subdivision Objectives: To regulate the density of development. • To limit the impact of new development and to protect the natural landscape and topography. • To ensure that any new lot created has sufficient area for landscaping, private open space, drainage, <u>utility services</u> and vehicular access to and from the site. • To maximise and protect solar access for each dwelling • To maximise the use of existing infrastructure. • To protect the amenity of adjoining properties. • To minimise the <u>risk</u> from potential hazards including bushfires, land slip and flooding.	<u>Lot 1</u> Width: 30.195m Depth: 32.35m Building area: 150m² <u>Lot 2</u> Width – 17.79mt Depth – 30.88 Building area – >150m² <u>Lot 3</u> Width – 16.85m Depth – 32.59m Building area – >150m² <u>The proposed DA complies and substantially exceeds the subdivision requirements of width, depth and minimum building area.</u> ... A new Right of Way (ROW) will be created to access all blocks. The current access to 107 will be reconstructed to run right along side the western boundary (rather than curved as it is currently) with an up to 1000mm services easement has been allocated for services/ nature easement directly aligned with the boundary hedge (existing fence will stay). Easements have been established to give ROW where necessary. This has been able to be kept to a minimum. See Section 5. Subdivision Plan for detail. Gradients have been met under this standard and are under 20%. The new access proposed driveway is compliant with service vehicles access.
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1. R2 Low Density Residential zone Requirements: Proposed new allotments: a) Min width: 13m b) Min depth: 27 m and c) Min building area: 150m² <u>Access</u> 2. Motor vehicle access to each residential allotment is required from a constructed and dedicated public road. Where access is proposed to a section of unconstructed public road, then the subdivision will need to provide legal, constructed access to the Council's satisfaction. Access for Council service vehicles, emergency vehicles and garbage collection vehicles must be provided.	<u>Lot 1</u> Width: 30.195m Depth: 32.35m Building area: meets 150m² Concept/indicative only proposed 242.7m² <u>Lot 2</u> Width – 17.79mt Depth – 30.88 Building area – >150m² <u>Lot 3</u> Width – 16.85m Depth – 32.59m Building area – >150m² Yes as noted above. N/A N/A
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Driveways, access ways, etc, to allotments should have a gradient not exceeding 1:4 and allow for transitions at a minimum length of 1.5m and at a grade no steeper than 1:10. Driveways that are 30m or more in length require a passing bay to be provided every 30m. To provide a passing bay, driveways shall be widened to 5.0m for a distance of at least 10m. Passing bays should have regard to sight conditions and minimise vehicular conflict. Vehicular ingress/egress points to internal lots may be used as passing/turning bays, subject to extension of a right-of-carriageway over the passing/turning bay. Rights-of-carriageway should be located so as to accommodate all vehicle turning facilities. ... Width of accessways* Number of lots to be serviced/ Width of clear constructed accessway (m)* 1-5 lots/3.5m 6-10 lots/5.0m	Noted and addressed in the Driveway (DW) plan. The access to driveway Lot 1 is at 11.1mts (which is as the council requested as a new building set back). The access provides the passing area as the driveway will be 34.1mt to the very top of the boundary. Easements have been put into the side and rear of Lot 1 to ensure a passing bay can be constructed. A multi-way dome mirror will be placed at the top of the Driveway for extra visual assistance at the bend. Stage 1 Has the services for all lots going in along the western boundary. The proposed DW access also runs along the western boundary to the top of Lot 1. Lot 1 will then be titled off. As there is already and existing DW on the existing dwelling this will be retained and used for the existing dwelling until Stage 2. At this point the Construction Certificate DA will likely be submitted for approval. Stage 2 At this stage the DW final plan and Construction Certificate DA for dwellings will be submitted to council for Lot 2 & 3. As per the objective for 3 lots the Driveway access will be 3.5m with a 1000mm boundary strip between the boundary and driveway handle Width of clear constructed accessway meets the standard of 3.5mts as per the standard for less than 5 lots.
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Design & construction

All roads, rights of carriageway, drainage design and construction is to be in accordance with Council's policy requirements including; AUSPEC 1 - Council's Specification for Engineering Works, Development Engineering Minor Works Specification, On Site Stormwater Detention (OSD) Technical Specification and Council's Water Sensitive Urban Design Policy. Additionally, internal roads must be designed in accordance with the relevant Australian Standards.

Subdivision design needs to maximise and protect solar access for each dwelling by considering factors such as orientation, shape, size and lot width.

4. Drainage

Provision should be made for each allotment to be drained by gravity to a Council-approved drainage system. The topography of the land should not be altered to adversely affect the natural drainage patterns. Stormwater should drain directly to a Council-approved drainage system and not via adjoining properties unless via a formalised inter-allotment drainage system.

The proposed allotments are to be drained to the direction of the natural fall of the land. Interallotment drainage easements will be required through adjoining properties to adequately drain land to Council's downstream system.

All design & construction indicative plans meet with the council requirements and the relevant Australian Standards and council development controls.

Design with regards to solar access, orientation, shape, size and lot width is all taken into consideration to ensure the best sustainable outcomes.

Due to the topography and natural fall of the site, sloping directly to the road drainage and thus joins straight to the storm water easement. Therefore, drainage is not considered an issue for this site.

A copy of the Approved Stormwater Plan & Report as per the last DA 2023/0379 is attached for perusal. Along with a new Stormwater Plan & Report to match the new indicative driveway and building concepts.

The Stormwater plan and report was Approved in the last DA2023/0379 and is attached following extensive consultation with the Council engineers where they suggested what they felt best suited the site. HECARD Consult Pty Ltd developed a plan accordingly. This has now been modified for the new indicative plan but still keeping the council engineering suggestions dated June 2024 which they Approved for this site.

The site is now 1 Lot instead of 2 and once this Subdivision is Approved the **Stormwater Plan and Report will be further updated (just ask the applicant)** to fit exactly with the build plans to reduce reworking and extra costs before final Subdivision approval.

The 3mt Stormwater Easement on the eastern boundary has been requisitioned by Council and will form part of the title deed final documents.

Restrictions

5. Any easement, right-of- carriageway, or other restriction that is placed on the title of any land as a requirement of the approval of the subdivision is to be protected by a positive covenant or like instrument with the Council nominated as a party.

Environmentally constrained land

6. In areas subject to constraints such as flooding, tidal inundation, threatened species, **landslip risk, bushfire** or any other matter, adequate safe area for building, where the risk from hazard is minimised, is to be provided within an allotment.

Where possible, lot boundaries should utilise natural land features such as creeks, escarpments and rock outcrop.

ROWS and easements are noted on the proposed Subdivision Plan necessary for the passing bay to fit within the back lots minimum lot size to stay within the 10% variation and will be noted legally on the title documents.

The site is identified as Area A & B on Council's Land Slip Risk Map.

The site is noted as Land Slip Risk Area A & B as per the DECP and therefore the proposed allotments are capable of accommodating dwellings that minimise the hazard risk. A geo technical report is not required for this standard at this point. It will be submitted with the building plan DA.

The proposed subdivision recognizes the rock escarpment as a significant feature as stated by Council and have adhered to Council's requirements of a 11.1mt building setback.

Sitting behind the Rock Escarpment is the Rock Platform which is mostly flat in the main area and this will be used to build the dwelling on for Lot 1 using brick piers and a suspended slab which has been approved as the best method in our previous DA. **Attached are the 2 Geotech reports.** They were both submitted in the DA2023/0379 and supported by NBC Engineering team previously.

The same building approach (brick piers and a suspended slab)is proposed for the indicative dwelling in the Sub Div proposal and will be completed in detail in the Construction Certificate DA after subdivision.

Bushfire

7. Subdivision should be designed to minimise the risk from potential bushfire. Asset protection zones should be contained within the property boundaries of the new subdivision.

A Bushfire Risk Assessment Report has been prepared by Bushfire Planning Consultants dated 12 October 2022 and updated on March 2023 for DA2023/0379 which has been approval by the RFS more than once.

The new Subdivision Plan is attached to the Bushfire report relevant to this DA submission.

It is noted within the Report that the block has no concerned hazards and falls in the LOW BAL Building Setback.

The north/east corner outside of the building setback is BAL 12.5 but will not be utilised in construction as it is not within the council allowed building set back and will be kept clear of debris as recommended. The BAL also encroaches mildly on the 3mt Stormwater Easement however it has no impact as it's well in front of the building setback and can not be built on anyway.

C2 – Traffic, Access and Safety Objectives To minimise: a) traffic hazards; b) vehicles queuing on public roads c) the number of vehicle crossings in a street; d) traffic, pedestrian and cyclist conflict; e) interference with public transport facilities; and f) the loss of “on street” kerbside parking. Vehicular crossing to be provided in accordance with Council’s Vehicle Crossing Policy	As requested by Council in our Pre-DA Lodgment Meeting we have ensured there is only one driveway access to the 3 lots. This already meets with all objectives and requirements of the DCP. This reduces the impact of further driveways closer to the roundabout. Although the owners wanted an extra Driveway they have compromised. The Vehicular crossing does not change and therefore will be in accordance with Council’s Vehicle Crossing Policy This also ensures that a) through to f) objectives are all met on this site.
C3 – Parking Facilities Objectives • To provide adequate off street car parking • To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public space • To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.	Car parking for 2 vehicles will be available in the garage through the entrance of Lot 1 and a visitor parking space included as part of the proposed concept drawings. Lots 2 & 3 will have at least 2 spaces/garage allocation in their plans to come through in Stage 2 of the development. These will be located in the most suitable areas for minimal impact for each of the blocks and to the site in general.
C4 – Stormwater Requirements (summary of the Objectives) Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like. The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council’s Water Management for Development Policy.	This SofEE complies with the provisions of the objectives and requirements and is dealt with in the Stormwater Management Plan which has been prepared by HECARD Consult Pty Ltd dated August 2024 and has been resourced and referenced by the Overland Flow report prepared by Pittwater Data Services dated November 2022. The Stormwater Management Plan prepared by HECARD Consult Pty Ltd dated 18 Oct 2023 and complies with Council’s Water Management for Development Policy as mentioned earlier in this report was done in conjunction with Council engineering feedback requirements.

C7 – Excavation and landfill

Objectives

- To ensure any land excavation or fill work will not have an adverse effect upon the visual and natural environment or adjoining and adjacent properties.
- To require that excavation and landfill does not create airborne pollution.
- To preserve the integrity of the physical environment.
- To maintain and enhance visual and scenic quality.

Requirements

1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.
2. Excavation and landfill works must not result in any adverse impact on adjoining land.
3. Excavated and landfill areas shall be constructed to ensure the geological stability of the work.
4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.
5. Rehabilitation and revegetation techniques shall be applied to the fill.
6. Where landfill is necessary, it is to be minimal and shall have no adverse effect on the visual and natural environment or adjoining and surrounding properties.

The only excavation on the block for subdivision will be of a small portion of rock where the proposed new driveway will travel directly up the block and not curve as it does currently. It is approximately 3mt x 3.5mts of rock and this excavated portion will be used around the property and will form the under bedding of the driveway.

A further small section of pointy sandstone and previously built rockery where the garage will sit, will have the top scraped off to ensure a more level pad for the garage suspended slab. All materials excavated will be able to be used on the Driveway.

Please see the Excavation and Infill Plan submitted to Area Manager, Steven Findlay who stated *'the garage location, excavation and likely building height looks reasonable'*.

A copy of the **Excavation and Infill Plan** has been submitted with this DA submission.

All other council requirements are complied with driveway construction and services plans will be completed according to the required standards.

Each allotment has the capacity to meet and exceed Council's minimum landscaped open space area of 40% as a requirement on the DCP

D1 – Landscaped Open Space and Bushland Setting Min 40% required (min 2m in width) Requirements 1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and <u>Bushland</u> Setting. 2. To measure the area of landscaped open space: a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open space is 1 metre. 3. Where land is shown on DCP Map Landscaped Open Space and <u>Bushland</u> Setting as “<u>Bushland</u> Setting”, a minimum of 50% of the site area must remain undisturbed by development and is to be kept as natural <u>bushland</u> or landscaped with locally indigenous species.	map. Lot 1s concept dwelling plan shows 50% landscaping including over the OSD which will have a cover of 300mm then the plantings. An indicative Landscape Plan submitted with this DA Submission has used a lot of native ground cover and native plants along the front of the rock escarpment to keep it low maintenance yet native looking. Lot 2 & 3s landscape plans will be submitted with their dwelling plans in Stage 2. The rest of the objectives and requirements will be met as part of the building plans to be lodged in Stage 2 . N/A
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E1 – Private Property Tree Management

Objectives

- To protect and enhance the urban forest of the Northern Beaches.
- To effectively manage the risks that come with an established urban forest through professional management of trees.
- To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.
- To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.
- To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.
- To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.
- Arborist report to be provided to support development where impacts to trees are presented

The applicants wish to retain the Old English Oak tree as it's a feature of significance.

The English Oak Tree will be preserved and protected as a feature of the site and locality. All other trees/shrubs were not of significant and were mostly non-native trees, shrubs, lantana and privet which have been removed for further surveying purposes.

Sydney Arborist, Antony Osborn has prepared a Arboricultural Impact Assessment report dated 30 January, 2023 this has now been updated in August 2024 for this new DA submission. It states how the tree can be managed and protected throughout the process of preparing the blocks for services, driveways and building.

Wherever possible the applicants are keen to add the natural and native landscaping of the site.

As stated by the Arborist any building in the TPZ needs to have tree protection measures. It is proposed so as not to impact the tree roots and system more than necessary that the Stage 1 Driveway stop at the top of the Lot 1 as the Lot 2 & 3 DWs and designs are yet to be finalised.

This ensures that the TPZ is only interfered with once when the DWs for Lots 2 & 3 are being completed in full at Stage 2 of the development.

The existing dwelling at 107 that will remain until the Building Plans are submitted for Stage 2 (ie Lot 2 & 3) has a substantial driveway access with turning capabilities towards the western boundary that will not affect lot 1 nor the TPZ.

We request that this be the end of the Driveway in Stage 1.

Stage 2 will have completed DW plans to match the building plans submitted in the Construction Certificate DA at a date in the future.

E6 – Retaining unique environmental features

Objectives

- To conserve those parts of land which distinguish it from its surroundings.

Requirements

1. Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.
2. Development should respond to these features through location of structures, outlook, design and materials.

The Rock Escarpment

Rock escarpment being the vertical faces and rock outcrop in the first 11mts of the property will be retained in accordance with discussions with the Area Manager Steve Findlay.

The rock platform on which the dwelling will be built upon is mostly flat. In only 1 place will the rock be minimally excavated to no more than a 2mts diameter with less than a 1mt depth and has been noted through all 3 of our DA.

The rock outcrop along of the site is dealt with as part of the Aboriginal Assessment Due Diligence report prepared by Oliver Brown.

However, feedback prior has been that there are no aboriginal engravings or areas of interests as further stated by David Hoare who has sited and worked with the Aboriginal Heritage Office and specifically on the Northern Beaches.

This has been further confirmed by at least 2 staff from the council aboriginal department visiting the site.

An Aboriginal Assessment Due Diligence report prepared by Oliver Brown and has been previously sited and approved for by the Aboriginal Assessment team in NBC.

E10 – Landslip Risk

Identified on map as Area A & Area B.

Nature of works to excavate >2m requires the submission

LANDSLIP RISK CLASS			
Landslip Risk Class	Topographic Position	Slope Angle (degrees)	Geology
A	Plateau areas, ridge crests, major spur slopes, footslope areas; and beach, foredune and alluvial flats.	< 5	At higher elevations, generally shallow residual soils developed on Hawkesbury Sandstone. Hawkesbury Sandstone exposed in occasional outcrops and in near vertical road cuts. Some areas of fill. At lower elevations, unconsolidated marine and alluvial sands often overlying deep marine sediments.
B	Flanking slopes.	5 to 25	Colluvium and residual soils, possibly deeper than in Class A, developed on Hawkesbury Sandstone. Minor detached sandstone blocks, occasional exposures of sandstone in cliffs and road cuts. Occasional fill areas associated with playing fields, roads and some developments

of a Geotechnical Hazard Assessment.

The site is identified as Area A & B on Council's Land Slip Risk Map.

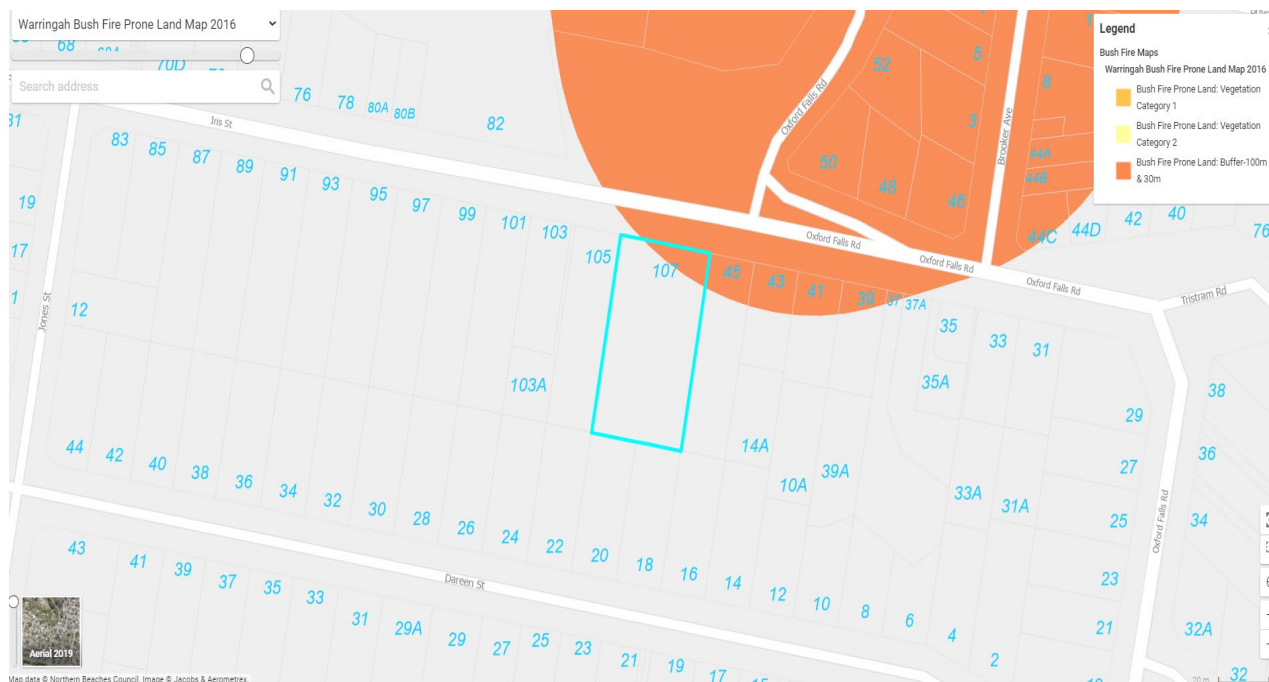
The proposed allotments are capable of accommodating dwelling that minimise the hazard risk.

Land Slip Risk Area B requires preliminary site investigation as such a Geotechnical Investigation has been prepared by Geotechnical Consultants Australia dated 3 December 2019 and is attached to this submission.

The report provides recommendations in relation to geotechnical inspections to be observed during the construction works. The proposal therefore satisfies the provisions of this clause.

This is also reference earlier in section under the heading of Warringah LEP 2011- Land Slip Risk Area in the Statutory Framework section.

9. Northern Beaches Bush Fire Prone Map



RESPONSE:

- The subject site falls marginally in the Northern Beaches Bush Fire Prone Map.
- A small portion of the site at the north/eastern corner (in orange) is classified as Bush fire prone land Buffer – 10m & 30m.
- A Bush Fire Report has been conducted by Bushfire Planning Consultants dated 12 October 2023 and has been updated with the new Subdivision report.
- This north-eastern corner of the site is rated BAL- 12.5
- This is outside of the building setback line.
- The remainder of the site is rated BAL- LOW.
- All future dwelling construction will occur in the BAL- LOW zone. Only the stormwater OSD tank will be located underground in that front area. This was approved by the NBC Engineering team in our last D

10. Conclusion

This Statement of Environmental Effects has been prepared with regards to the proposed development application at 107 Iris Street, Beacon Hill for a Torrens Title subdivision in 2 stages of one (1) lot into three(3) lots and driveway vehicular accessway with allowance for forward in, forward out access.

This document has addressed relevant statutory planning instruments, including the Northern Beaches Council's planning controls; Warringah LEP 2011 and DCP 2011. It is considered that the proposal satisfies these standards with one variation request.

The application has addressed the variation to the R2 zoning **Clause 4.1 Minimum Lot Size** in the **Clause 4.6 – Variation Request (within 10%)** submission as an independent file as part of the Development Application.

The rear setbacks of Lot 1 is affected by having **rear entry driveways and this is discussed in B9 and B10** where **it is requested that Council consider and acknowledge the requirement of impacts** on this standard. In contrast and as a result there are no impacts on the front boundary of Lot 1 at all.

It is considered that other than the above the proposed subdivision satisfies the objectives of the development standards. The proposed subdivision lots will maintain protection of the residential character including specifically the rock escarpment and Oak. They are also consistent with the pattern, size and configuration of existing lots in the locality and would be in the public interest, along with local housing strategy (NBLHS) in meeting the demand for suitable dwelling lots in the Northern Beaches local government area.

In conclusion the applicants request Development consent under the authority of the Northern Beaches Council for this development.

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