

Statement of Environmental Effects

Demolition of Existing Structures & Construction of a New Dwelling House at

20 The Esplanade Narrabeen

Prepared by,

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Prepared for

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared in support of a Development Application made under Part 4 of the Environmental Planning and Assessment Act 1979 for demolition of the existing improvements and construction of a two-store dwelling house with associated swimming pool with spa, and Landscape work at 20 The Esplanade Narrabeen.

- The proposed development is detailed on architectural plans prepared by Shobha Designs.

This Statement has been prepared pursuant to section 78A of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021. The Statement provides an assessment of the development proposal having regard to the relevant legislative context, social economic and environmental impacts, potential amenity impacts of the development on the surrounding locality and the measures proposed within the application to mitigate such impacts.

The Statement details the proposed development's compliance against applicable environmental planning instruments and development control plans including:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011

Having regard to the applicable legislative framework, it is considered that the proposed development is consistent with the aims and objectives of the relevant environmental planning instruments and development control plan whilst being compatible with the character of the locality and minimising any potential impacts on the amenity of the adjoining properties.

2.0 SITE DESCRIPTION & ANALYSIS

The site is legally described as Lot 32/D in Deposited Plan 7090 and is commonly known as 20 The Esplanade, Narrabeen. The site is located between the intersection of The Esplanade and Nioka Road.

The site has an area of 833.1 square metres and is generally rectangular in shape. The site has a frontage of 9.015 metres to The Esplanade, an eastern boundary of 56.28 metres, a western boundary of 51.28 metres and a rear boundary of 17.5 metres.

The site is currently occupied by a single storey, rendered dwelling with open front yard. Vehicular access to the site is provided via a driveway adjacent to the northern boundary.

There is no significant vegetation located on the site with vegetation on the site consisting of patchy grassed areas in the front.



Figure 1 –Site Location

The neighbourhood currently contains a general mix of single and two storey dwellings as anticipated within an established residential area. The proposed dwelling will contribute positively to the surrounding area and the streetscape of The Esplanade.



Figure 2 – showing the existing dwelling as viewed from the street



Figure 3 – showing the existing site as viewed from the rear



Figure 4 – showing the existing site as viewed from Narrabeen Lake

3.0 DESCRIPTION OF THE PROPOSAL

The development application seeks consent for the demolition of the existing improvements and construction of a new two storey dwelling.

An in-ground swimming pool with spa and landscaping works are also proposed. The proposed development is detailed on the architectural plans prepared by Shobha Designs.

4.0 Environmental Planning and Assessment Act 1979

Section 4.15 Evaluation

In accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act) in determining a development application a consent authority is to take into consideration the relevant matters listed in section 4.15(1). The provisions of section 4.15(1) have been addressed in Sections 4.2, 4.3 and 5 of this Statement.

4.1 Environmental Planning Instruments

4.1.2 (SEPP) (Resilience and Hazards) 2021

Chapter2 - Coastal Management

Chapter 2 of the SEPP generally aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone. The site is not located within the “coastal environment area” and the “coastal use area”, therefore the requirement Chapter 2 is not applicable to the subject site.

Chapter 4 - Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) 2021 applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 4.6 of the SEPP requires the consent authority to consider whether land is contaminated prior to granting consent to carrying out of any development on that land and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

There is no evidence of any past contaminating uses having occurred on the site. The site is currently used for a residential use and the application proposes a continuation of this use. Accordingly, the consent authority can be satisfied that the site is suitable in its current state for the proposed development.

4.1.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the proposed development and aims to encourage sustainable residential development.

A BASIX Assessment accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

5.0 ZONING AND DEVELOPMENT CONTROLS

The proposed development is identified as development permissible with consent under the provisions of the Environmental Planning and Assessment Act 1979, Warringah Local Environmental Plan 2011.

The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Hornsby Council which currently apply to the site.

5.1 Warringah Local Environmental Plan 2011

The subject land is zoned R2 – Low Density Residential under the provisions of the Warringah Local Environmental Plan 2011. Pursuant to the Land Use Table of the WLEP dwelling houses is permitted with consent in the R2 zone.

Clause 2.3(2) of the WLEP provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives for development within the R2 – Low Density Residential zone are:

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

The development proposes detached style housing in a landscaped setting. The development will be entirely compatible with the pattern and scale of the surrounding residential development having regard to the heights of the surrounding developments and the complying landscaped area of the development.

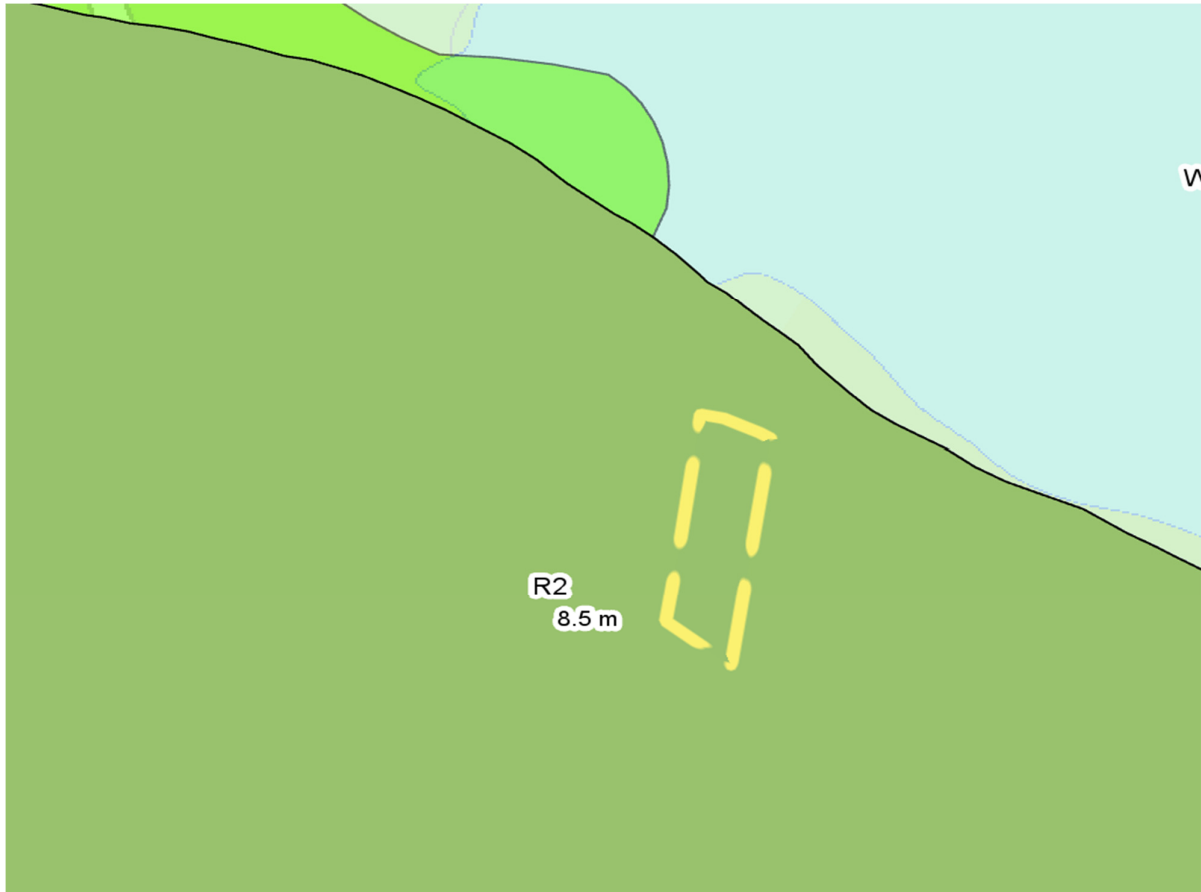


Figure 5 – Height Map

The proposed development fully complies with the 8.5 metre height limit as shown on the sections and elevations prepared by Architect.

Clause 5.10 – Heritage Conservation

The subject premise is not heritage listed and is not considered to have any heritage significance which would be impacted upon by the proposed works.

Clause 6.1 Acid Sulphate Soils

The subject site is not known to be affected by Acid Sulphate Soils as per Council 10.7 certificate.

Clause 6.2 Earthworks

Some ground disturbance is required to provide a level platform to site the building footprint.

Clause 6.4 Development on sloping land

Clause 6.4 of WLEP applies to land shown as Area A, Area B, Area C, Area D and Area E on the Landslip Risk Map. The site is identified as Area A – Slope < 5 on the Landslide Risk Map, with only minor section of the site being identified as Area D and therefore clause 6.4 applies.

In accordance with subclause (3) development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that –

- a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
- b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- c) the development will not impact on or affect the existing subsurface flow conditions.*

The majority of the site is located within Area A, which is where the footprint of the dwelling is proposed. Part of the section shown as Area D includes a new swimming pool and as a result of the proposed development a Geotechnical Report has been prepared and submitted with the Development Application.

6.0 Warringah Development Control Plan 2011

WDCP 2011 is the prevailing Council prepared development control plan applying to the site.

Section 4.15 (3A) of the Act states:

If a development control plan contains provisions that relate to the development that is subject of a development application, the consent authority:

- (a) if those provision set standards with respect to an aspect of the development and the development application complies with those standards – is not to require more onerous standards with respect to that aspect of the development, and*
- (b) if those provisions set standards with respect to an aspect of the development and the development does not strictly comply with those standards – is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
- (c) may consider those provisions only in connection with the assessment of that development application).*

The proposed development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the Warringah Development Control Plan 2011 (HDCP). The following table sets out the proposal's compliance with the prescriptive requirements of the Plan:

Built Form Controls

The following table addresses the proposal's compliance with the applicable controls in Part B of the WDCP.

Controls	Requirement	Comment
B1 Wall Height	7.2	Clause B1 applies to land zoned R2 Low Density Residential and to which an 8.5 metre maximum height control applies under the WLEP. Clause B1 applies to the subject site. In accordance with clause B1, walls are not to exceed 7.2 metre from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space)

Controls	Requirement	Comment
		The proposed development fully complies with the Wall height control at 7.13m
B3 Side Boundary Envelopes	4/45°	In accordance with clause B3 of the DCP, buildings on the site must be sited within a building envelope determined by projecting plans at 45 degrees from a height of 4 metres above ground level at the side boundaries. Fascia, gutters, downpipes, eaves (up to 0.675 metres from the boundary), masonry chimneys, flues, pipes or other services infrastructure may encroach beyond the side boundary envelope. The objectives of the control are: <i>To ensure that development does not become visually dominant by virtue of its height and bulk.</i> <i>To ensure adequate light, solar access and privacy by providing spatial separation between buildings.</i> <i>To ensure that development responds to the topography of the site</i> The proposed dwelling results in minor breach on both elevations as shown on the architectural plans, The variation to the building envelope control for proposed development is acceptable in that: - The proposed dwelling provides complying setback, as such the variation does not result in a building that will be visually dominant by virtue of its height and bulk. - The development allows for appropriate separation between buildings with the majority of dwelling setback 2 metres from the side boundaries instead of 0.9 metres as is permitted. - The variation will not result in any adverse impacts on the solar access available to the adjoining property - The scale of the building is compatible with the adjoining development despite the variation to the building envelope control. - The variation to the building envelope control does not result in any unreasonable impacts on the amenity of the adjoining properties as demonstrated by the shadow diagrams that accompany the application.

Controls	Requirement	Comment
B5 Side Boundary Setbacks	0.9m	A side setback of 0.9 metres applies in the R2 zone. Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback. The proposed development fully complies with the side setback control.
B7 Front Boundary Setbacks	6.5m	A 6.5 metre front setback control applies to the site. Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback. The proposed development has a front setback of 11 metres which is consistent with the front setbacks of the adjoining dwellings
B9 Rear Boundary Setbacks	6m	A 6-metre rear setback applies to the site. Exempt development, swimming pools and outbuildings that, in total, do not exceed 50% of the rear setback area, provided that the objectives of this provision are met. The proposed dwelling provides a 6-metre rear setback. The proposed swimming pool is not located in the 6-metre rear setback.

Part C, D, and E - The following table addresses the proposal's compliance with the applicable controls in Part C, D, and E of the WDCP

Control	Comment
Part C - Siting Factors	
C2 Traffic, Access and Safety	The existing driveway is located adjacent to the northern boundary. The proposed development seeks to adjust the location of the driveway to provide a 2-metre-wide landscape buffer between the driveway and the adjoining property. The adjusted driveway location will not impact on any public transport facilities. Vehicular access to the site complies with the requirements of clause C2.
C3 Parking Facilities	Appendix 1 of the DCP requires 2 car parking spaces to be provided per dwelling. 2 parking spaces are provided within the proposed garage,
C4 Stormwater	Stormwater plans prepared. The drainage system has been designed to comply with Council's requirements.
C5 Erosion and Sedimentation	Erosion and sediment control measures will be installed on the site prior to the commencement of demolition work and will remain in place until construction is completed.

Control	Comment
Part C - Siting Factors	
C6 Building over or adjacent to Constructed Council Drainage Easements	Not Applicable
C7 Excavation and Landfill	Soil and sediment control measures will be put in place to ensure that the proposed excavation works will not create siltation or pollution of waterways or drainage lines
C8 Demolition and Construction	Demolition and construction waste will be appropriately managed, and waste will be recycled where possible
C9 Waste Management	A Waste Management Plan accompanies the application.
Part D – Design	
D1 Landscaped Open Space	in accordance with Part D1 of the WDCP a minimum landscaped area of 40% of the site area is to be provided (333.24 square metres). The proposed development provides 40% of the site area or 334.76 square metres of landscaped open space
D2 Private Open Space	Part D2 of the WDCP requires a dwelling house with 3 or more bedrooms to be provided with a total of 60 square metres of private open space with minimum dimensions of 5 metres. The rear private open space area greatly exceeds 60 square metres in area.
D3 Noise	The proposed development will not result in noise emission that would unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants.
D6 Access to Sunlight	Solar access diagrams have been submitted which demonstrates complies with the requirement of this control.
D7 Views	The proposed impact of the proposal on the views available will not be unreasonable
D8 Privacy	The privacy of the adjoining properties has been protected through the setbacks and limited number of windows on the elevations.
D9 Building Bulk	The bulk of the development has been minimised in that: • The development is surrounded by landscaped open spaces. As such, the bulk of the development has been minimised. • The design reduces the visual bulk as viewed from the street or the Lack and reduces the wall lengths adjacent to the side boundaries. • The development does not appear to be excessively bulky when viewed from the street, • The development will maintain the pattern of detached dwellings and side setbacks.

Control	Comment
Part C - Siting Factors	
	An appropriate level of modulation and articulation is proposed.
D10 Building Colours and Materials	A schedule of external colours and finishes accompanies the application. The proposed colours and materials provide a contemporary aesthetic to the dwelling and are compatible with the surrounding developments.
D11 Roofs	A variety of roof forms are found in the local area. The proposed flat roof will complement the roof forms of the existing buildings in the streetscape.
D12 Glare and Reflection	The proposed materials will not result in reflectivity that may impact on the surrounding properties
Part E - E The Natural Environment	
E1 Private Property Tree Management	One tree in the rear yard will be removed as part of the proposal. An arborists report has been prepared and submitted with the Development Application.
E10 Landslip Risk	The site where the dwelling is located is within Area A & D on the Land Slip Risk Map. A Geotechnical Report has been prepared and submitted with the Development Application

MATTERS REQUIRING FURTHER CONSIDERATION

Siting and Design

The proposed dwelling will be compatible in terms of height, bulk and scale with surrounding developments within the area and will respect the adjoining development. The siting of the dwelling provides generous boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the complete dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

Sedimentation Control

Due to the topography of the site, no excavation will be required for the construction, as shown on the development plans. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

Summary

There are no other provisions of the DCP that apply to the proposed development. The proposal is considered to achieve compliance with the aims and objectives together with the prescriptive requirements of the Hornsby DCP and is therefore worthy of the support of the Council.

6.0 S4.15 (1) (b) Impact on the environment

An assessment of the likely impacts of this development including environmental impacts on both the natural, environmental, and social economic impacts in the locality has been made as follows.

It is considered that the proposal, which seeks consent for the demolition works and construction dwelling house will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and DCP.

6.1 S4.15 (1) (c) The suitability of the site for the proposed development

The development on land zoned R2 – Low Density Residential under the Warringah LEP 2011 and is permissible with the consent of Council. The proposal will allow for the provision of a new dwelling house without impacting upon the character of the surrounding area or the amenity of adjoining properties. It is not considered that there will be any adverse impacts as a result of the proposal and as such the subject site is considered suitable for the proposed development.

6.2 S4.15 (1) (d) Any submissions made in accordance with the Act or Regulations

It is expected that the consent authority will consider submissions (if any) in its assessment of the DA and will afford the applicant the opportunity to respond to such submissions as/if required.

6.3 S4.15 (1) (e) The public interest

The public interest is an overarching concept. The public interest may best be served by the provision of a continues use as a residential dwelling that is zoned for that purpose.

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

There are no other reasons as to why the proposal is not in the public interest.

7.0 CONCLUSION

A detailed assessment of the planning issues relevant to the proposal has revealed that the proposal has significant merits and does not result in any material environment impacts to the adjoining and adjacent properties and the surrounding public domain.

Assessment of the proposal against the relevant planning controls reveals that it is generally consistent with the objectives, standards and guidelines of each planning control and is permissible with development consent.

In light of the above and the detailed assessment of the proposal herein, it is considered that the proposal is worthy of approval.