

COLLINS AND TURNER  
3 PAVILION STREET, QUEENSLIFF  
DEVELOPMENT APPLICATION  
STATEMENT OF ENVIRONMENTAL EFFECTS



3 Pavilion St, Queenscliff

Prepared for Warren and Fiona Turner  
March 2023

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| Revision ID | Name    | Details of Revision | Date     |
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|             |         |                     |          |
|             |         |                     |          |

## 01 — INTRODUCTION

# STATEMENT OF ENVIRONMENTAL EFFECTS

## 3 PAVILION STREET, QUEENSCLIFF

— This development proposal seeks to revive a home and create a bold architectural statement on the Queenscliff headland.

### Introduction

Warren and Fiona Turner, owners of Lot 1, DP 949656, have engaged Collins and Turner to redesign the existing dwelling on the site also known as 3 Pavilion Street, Queenscliff.

This planning report and Statement of Environmental Effects provides the following:

- A description of the subject site and the surrounding area
- A description of the proposed development
- A summary and description of the planning controls that apply to the land and the proposed development
- Identification and discussion of the key planning issues
- An evaluation of the proposal under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The following drawings accompany this Development Application:

- Land Survey and Boundary ID prepared by Bee & Lethbridge Consulting Surveyors (dated 04/11/22)
- Architectural drawings #010 - 521 prepared by Collins and Turner Pty. Ltd. (Rev. B, dated 03/08/23)
- Stormwater Plan prepared by Hyve Designs (Rev. B, dated 22/12/22)

The following reports accompany this Development Application:

- Statement of Environmental Effects prepared by Collins and Turner Pty. Ltd. (Rev. C, dated 03/08/23)
- Clause 4.6 Variation Request prepared by Collins and Turner Pty. Ltd. (Rev. B, dated 03/08/23)
- Geotechnical Assessment prepared by JK Geotechnics, (Ref 34660AFrpt, dated 11/08/23)
- Cost Summary/ Quantity Surveyors Report prepared by Newin Building Estimating Services (dated 16/12/22)
- BASIX Certificate A483181\_02 prepared by Efficient Living (Rev. 02, dated 07/02/23)
- Coastal Assessment Report prepared by Royal HaskoningDHV (dated 01/03/23)
- Waste Management Plan (dated 06/03/23)
- Covering letter prepared by Collins and Turner Pty. Ltd. (dated 03/08/23)

# STATEMENT OF ENVIRONMENTAL EFFECTS

## 3 PAVILION STREET, QUEENSCLIFF

### 1.1 Description of Proposal

This development application seeks permission to update the existing dwelling to provide the residents a contemporary home befitting the prize location whilst making necessary repairs and adjustments. Works include;

- Extension of existing basement to provide additional off-street parking
- Installation of a vehicle hoist
- Changes to facades and fenestration include new glazing, privacy screening and tiled finish to existing masonry
- Demolition of existing pitched roof and construction of new roof terrace with integrated planters
- Demolition of existing raised pool, new landscaped area to lower ground level

### 1.2 Existing Building and Site Context

The subject site, 3 Pavilion St (Lot 1 DP 949656), is located on the north-eastern side of Pavilion Street. The site has an area, as surveyed, of 802.9m<sup>2</sup>. It is currently occupied by a three storey rendered brick dwelling with a pitched roof.

Its western boundary abuts Pavilion Street whilst the northern and southern boundaries are shared with existing dwellings. The eastern (rear) boundary is loosely defined by a precipitous cliff face which descends to the ocean below.

## 02 — SITE AND SURROUNDS

# STATEMENT OF ENVIRONMENTAL EFFECTS

## 3 PAVILION STREET, QUEENSCLIFF

### 2.1 The Surrounding Area



Figure 1 Surrounding area

### 2.2 Locality and Planning

The property is located within Northern Beaches Council, however, is still subject to the Warringah Local Environmental Plan (LEP) 2011 and Warringah Development Control Plan (DCP) 2011.

The proposed development has been assessed based on the characteristics of the site and locality, existing planning controls, in accordance with the Environmental Planning and Assessment Regulation 2000, and the requirements under the Environmental Planning and Assessment Act 1979.



Figure 2 Surrounding sites

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### 2.3 The Subject Site

The subject site is located at 3 Pavilion Street, Queenscliff and is on the north-eastern side of the street.

### 2.4 Site Characteristics

The character of the site is typical of the neighbourhood. The total site area is 802.9m<sup>2</sup> and is identified as Lot 1 in Deposited Plan 949656.

To the north of the subject site, and sharing a 42m boundary, is an atypical 6 storey multi-residential building with underground parking occupying SP 98655 (5 Pavilion St). To the south, and sharing a 45m boundary, is SP 87479 (1 Pavilion St), a two-storey dual occupancy with a roof terrace.

All three of these aforementioned lots overlook Freshwater Beach to the north-east and do not have a clear rear (eastern) boundary as a result of the steep cliff that falls away to the ocean below.

### 2.5 Local Context

The area is classed as R2 Low Density Residential. The land adjacent the eastern boundary, that is, the foreshore, is zoned RE1 Public Reserve.

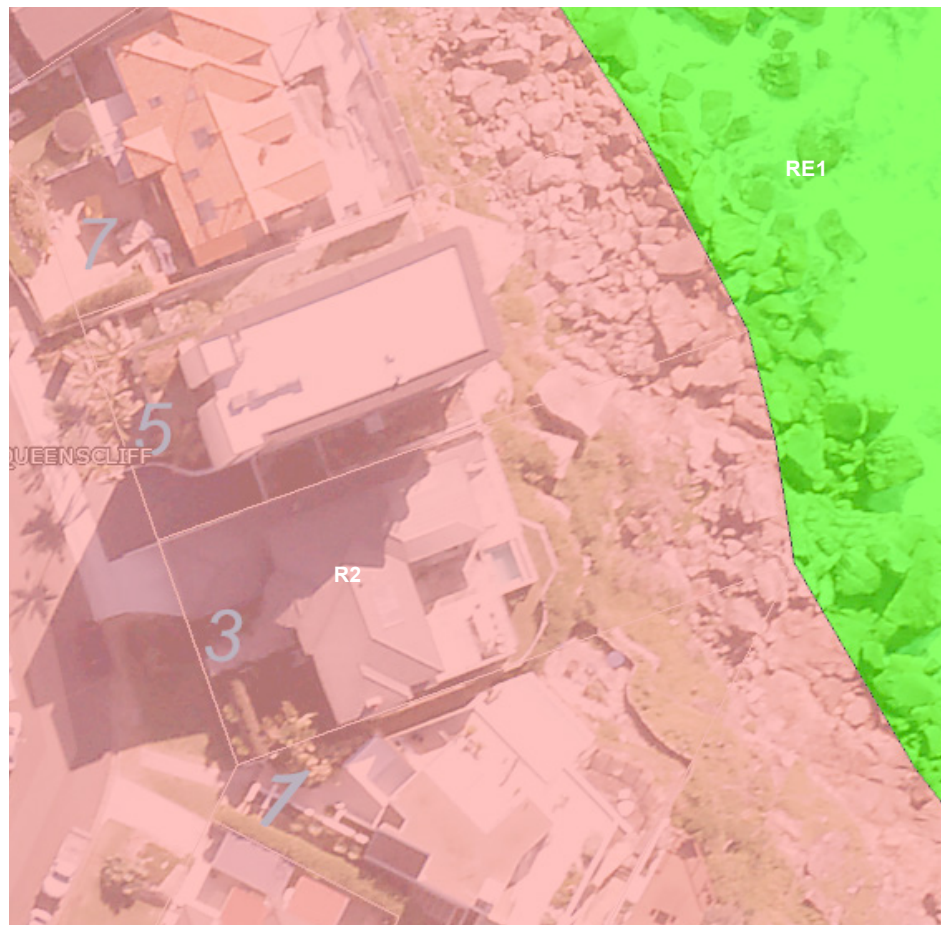


Figure 3 Zoning

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Figure 4 View of the subject site from Pavilion Street



Figure 5 Drone photograph of the site from the north-east, showing the rear (ocean-facing) facade

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#### 2.6 Heritage

The property is not a heritage item, however, the C13 Heritage Conservation Area traverses the subject site. No existing or proposed built elements fall within the HCA's outline.

During the approvals process, Council has communicated that an Aboriginal Heritage site, which is in the process of being registered, is located on the eastern cliff face. This heritage site is only accessible via the 1 Pavilion Street, and will not be impacted by the proposed development.

#### 2.7 Site works – Building

On site is a three storey rendered brick and tile dwelling. The dwelling currently provides 5 bedrooms, 5 bathrooms, two off-street car spaces and a plunge pool.

#### 2.8 Existing vegetation

The existing landscaped area is limited to the Council reserve on Pavilion Street and a small enclosed courtyard in the south-west corner of the site.

#### 2.9 Access & parking

Access to the site is from Pavilion St via either a pedestrian gate or a sealed driveway.

#### 2.10 Utility services

Services, including water, electricity, gas, sewer and stormwater, are currently connected to the site.

#### 2.11 Views & vistas

The dominant views to and from the site are east to north-easterly. The subject site enjoys large views towards Freshwater Beach, rock pool and Freshwater's northern headland. The dwelling is largely hidden by the neighbouring apartment tower when viewed from Freshwater Beach or the northern end of Pavilion Street.

#### 2.12 Contamination

Given the long existence of the original building, and use of the property, it is unlikely that the conditions of the site have been contaminated.

## 03 — PROPOSED DEVELOPMENT

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## 3 PAVILION STREET, QUEENSCLIFF

### 3.1 Architectural design

This proposal includes comprehensive alterations and additions to the existing dwelling.

On the ground floor a car stacker that will descend to an expanded lower ground level will be integrated into the existing garage. The curved staircase that forms a dominant element of the existing street-facing facade will be replaced with a new stair that accesses all levels and an elevator that will reach all internal floors. Ground floor living spaces, in particular the outdoor levels, will be rationalised to provide a more flexible floor plan.

The existing lower ground level will be expanded westwards to accommodate the aforementioned car stacker. In addition, the living spaces will be expanded to include a cellar and a home gym whilst the existing plunge pool, which sits between the existing ground and lower ground levels will be demolished. A new area of landscaping and hardscaping will form a comprehensive outdoor entertaining area at the eastern edge of the development.

The first floor will remain largely unchanged, however, some interventions will be made, such as expanded glazing and new privacy screens and solar shading.

All facades will receive a new surface treatment whilst the existing pitched roof will be removed in favour of non-trafficable flat roofs, planter boxes and a roof terrace set back from the edge at the north, south and western facades.

### 3.2 External Materials and Finishes

The proposed development will be in keeping with the scale of the existing dwelling, and compliment the character of the local streetscape and neighbourhood. Durable, self finished materials befitting the harsh coastal location, such as glazed ceramic tiles and copper screens, will be utilised.

### 3.3 Landscaping

Minor reductions to areas of existing soft landscaping are balanced by the addition of planters on the proposed roof terrace level. This rooftop greening will assist in reducing the heatload previously generated via the dark tile roof whilst also softening the building form. Landscaping will include native planting appropriate to the cliffside setting.

### 3.4 Access and circulation

Pavilion Street is a wide, two-way street catering to predominantly local vehicle traffic. The road can be accessed from Queenscliff Rd at two separate points as well as via Bridge Rd. There is off street parking on the street. The development will not alter the level of access and traffic to the street and immediate area.

### 3.5 Water management and sediment control

There will be a minor change in the quantity of stormwater entering the existing stormwater system due to limited changes to the dwelling's footprint. A new underground rainwater tank will assist in managing stormwater flows into the future.

During construction, stormwater will be filtered before it enters the Council stormwater system / street through the installation of sediment control measures placed on the site's boundary and any floor grates.

Stormwater run off and overflow from new terrace and excavated area will be piped directly to the cliff edge, minimising any burden on Council's stormwater infrastructure

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as a result of new works.

#### **3.6 Waste Management**

During construction, rubble and off-cut waste will be disposed of into a suitable skip, located on site. The skip will not impede / interfere with the traffic flow.

All waste material from the demolition and construction stages of the development (including brick, timber, concrete, plasterboard, roofing tiles and sheet steel) will be disposed of by an approved contractor. Where possible, material will be recycled and used in the construction of the proposed development, or used as recycled off site.

#### **3.7 Noise, safety, security and crime prevention**

During construction of the works, attempts will be made to provide against undue nuisance to adjoining properties from dust and noise.

The works will be constructed in accordance with the Occupation Health and Safety Act 2000, the Regulation 2001 and relevant Codes of Practice.

Surveillance and security:

- i) The property is secured by existing fences, gates and garage doors.
- ii) Casual surveillance of the street from the residence will be maintained

## 04 — PLANNING CONTROLS

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## 3 PAVILION STREET, QUEENSCLIFF

### 4.1 Planning Controls

#### 4.1.1 Overview

The primary planning control applying to the land and the proposed development is Warringah Local Environmental Plan (WLEP) 2011.

Other relevant planning instruments and controls that apply to the land and the development proposal, which are discussed in this statement, are:

- Warringah Development Control Plan (WDCCP) 2011; and
- National Construction Code (NCC) 2019

The effects of these planning documents on the development proposal are outlined below.

#### 4.2 Warringah Local Environmental Plan 2011 (WLEP)

The subject site is zoned R2 Low Density Residential. The objectives of the R2 zone are:

- To provide for the housing needs of the community within a low density residential area
- 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 proposal's compliance with the relevant zoning provisions is addressed below (see: s.4.5).

#### 4.3 Warringah Development Control Plan 2011 (WDCCP 2011)

The purpose of the WDCCP is to provide more detailed provisions than the WLEP for development in Warringah. The provisions of the DCP are in addition and complementary to the provisions of the WLEP. If there is an inconsistency between the two documents, WLEP shall prevail.

#### 4.4 Energy Efficiency and National Construction Code (NCC 2019)

The State Environmental Planning Policy Building Sustainability Index/ BASIX 2004 (SEPP BASIX) applies to alterations and additions to dwelling houses. A BASIX certificate for the development accompanies this development application.

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### 4.5 Key Assessment Controls

| Warringah Local Environmental Plan 2011  |                     |                                                                                                                                                                                                                                            |          |          |                                                                     |
|------------------------------------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|---------------------------------------------------------------------|
|                                          |                     | Existing                                                                                                                                                                                                                                   | Proposed | Standard | Compliance                                                          |
| Part 4 - Principal development standards |                     |                                                                                                                                                                                                                                            |          |          |                                                                     |
| 4.3                                      | Height of buildings | 10.4m                                                                                                                                                                                                                                      | 9.65m    | 8.5m     | Partial non-compliance, see attached Clause 4.6 Variation Statement |
| Control                                  |                     | Details                                                                                                                                                                                                                                    |          |          | Compliance                                                          |
| Part 5 - Miscellaneous provisions        |                     |                                                                                                                                                                                                                                            |          |          |                                                                     |
| 5.10 Heritage conservation               |                     | (2) Development consent is required in any of the following - (a) demolishing or moving any of the following or altering the exterior of any of the following... (iii) a building, work, relic or tree within a heritage conservation area |          |          | n/a, see Note (1)                                                   |
| Part 6 - Additional local provisions     |                     |                                                                                                                                                                                                                                            |          |          |                                                                     |
| 6.2 Earthworks                           |                     | (a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land     |          |          | Refer geotechnical engineers report                                 |
| Schedule 5 - Environmental heritage      |                     |                                                                                                                                                                                                                                            |          |          |                                                                     |
| Part 2 - Heritage conservation areas     |                     | A segment of the C13 heritage conservation area (HCA) 'Coastal cliffs' traverses the site                                                                                                                                                  |          |          | No existing or proposed built elements fall within the HCA          |

**Note** The heritage conservation area listing highlights that "the cliff faces have been somewhat disturbed, and the ridge top and more gentle slopes of the headland substantially so," and that, "the ridgetop contains very little of the original heath cover." As a result of this, and the fact that no existing or proposed built elements fall within the HCA, no detailed heritage impact statement has been prepared for this development application.

| Warringah Development Control Plan 2011 |                         |          |                              |                                                           |                                                                                     |
|-----------------------------------------|-------------------------|----------|------------------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------|
|                                         |                         | Existing | Proposed                     | Standard                                                  | Compliance                                                                          |
| Part B - Built form controls            |                         |          |                              |                                                           |                                                                                     |
| B1                                      | Wall height             | Varied   | Refer to architectural plans | 7.2m                                                      | Merit assessment. Refer to architectural plans.                                     |
| B2                                      | Number of storeys       | 3        | 3                            | -                                                         | No change                                                                           |
| B3                                      | Side boundary envelope  | -        | Refer to architectural plans | 45° planes from 5m above existing ground at side boundary | Merit assessment. Refer to architectural plans.                                     |
| B5                                      | Side boundary setbacks  | 0.9m     | 0.9m                         | 0.9m                                                      | No change                                                                           |
| B7                                      | Front boundary setbacks | 0m       | 0m                           | 6.5m                                                      | No, but justified. The dwelling setback from the front boundary has been increased. |
| B9                                      | Rear boundary setbacks  | 15m      | 13m                          | 6m                                                        | Yes                                                                                 |
| B13                                     | Coastal cliffs setback  | -        | Refer to architectural plans | 25m, as measured from the front boundary                  | No change                                                                           |

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| Control                 | Details                                                                                                                                                                                                                                                                                                                           | Compliance                                                                                                                                                               |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Part C - Siting factors |                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                          |
| C3 - Parking facilities | <ul style="list-style-type: none"> <li>- Garage doors and carports are to be integrated into the house design and to not dominate the facade</li> <li>- Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6m or 50% of the building width, whichever is the lesser</li> </ul> | No, but justified. The existing garage will be altered. The footprint will be increased slightly to enable underground parking. This will enable more off-street parking |

| Control                                         | Details                                                                                                                                                                                                                                                                                                          | Compliance                                                                                                                                                                                                                  |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Part D - Design                                 |                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                             |
| D1 - Landscaped open space and bushland setting | 40% (321m <sup>2</sup> ) of site is to be landscaped open space                                                                                                                                                                                                                                                  | No, but there has been a net gain of landscaped area across the site. Further, almost 1/3 of the site remains steep cliff face and foreshore, a unique form of landscaped open space that does not meet the DCP definition. |
| D2 - Private open space                         | Dwelling houses and attached dwellings with or more bedrooms require a minimum of 60m <sup>2</sup> private open space with minimum dimensions of 5 meters                                                                                                                                                        | Yes                                                                                                                                                                                                                         |
| D6 - Access to sunlight                         | At least 50% of the required area of private open space of each dwelling and at least 50% of the required private open space of adjoining dwellings are to receive a minimum of 3 hours sunlight between 9am and 3pm on June 21                                                                                  | Yes                                                                                                                                                                                                                         |
| D7 - Views                                      | Development shall provide for the reasonable sharing of views                                                                                                                                                                                                                                                    | Yes                                                                                                                                                                                                                         |
| D8 - Privacy                                    | Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties                                                                                                                                                                                    | Yes                                                                                                                                                                                                                         |
| D9 - Building bulk                              | <p>Side and rear setbacks are to be progressively increased as wall height increases</p> <p>Use colour, materials and surface treatment to reduce building bulk</p> <p>Landscape plantings are to be provided to reduce the visual bulk of new building and works</p>                                            | Yes                                                                                                                                                                                                                         |
| D10 - Building colours and materials            | <p>In highly visible areas, the visual impact of new development is to be minimised through the use of appropriate colours and materials and landscaping</p> <p>The colours and materials used for alterations and additions to an existing structure shall complement the existing external building facade</p> | Yes                                                                                                                                                                                                                         |
| D11 - Roofs                                     | <p>Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs</p> <p>Roofs should complement the roof pitch and forms of the existing buildings in the streetscape</p>                                                                                                  | Yes                                                                                                                                                                                                                         |

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|                                                  |                                                                                                                                                                                                                     |                                           |
|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| D12 - Glare and reflection                       | Sunlight reflectivity that may impact on surrounding properties is to be minimised                                                                                                                                  | Yes, refer to proposed materials schedule |
| D13 - Front fences and front walls               | Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence                                           | No change                                 |
| D14 - Site facilities                            | Site facilities, including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services are to have minimal visual impact from public places | Yes                                       |
| D15 - Side and rear fences                       | Generally, side and rear boundary fences are to be no higher than 1.8m<br><br>For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped                                 | No change                                 |
| D16 - Swimming pools and spa pools               | Pools are not to be located in the front building setback                                                                                                                                                           | Yes                                       |
| D20 - Safety and security                        | Buildings are to overlook streets as well as public and communal places to allow casual surveillance<br><br>Entrances to buildings are to be from public streets wherever possible                                  | Yes                                       |
| D21 - Provision and location of utility services | Service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places or streets                                 | Yes                                       |
| D22 - Conservation of energy and water           | The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy<br><br>Reuse of storm water for on-site irrigation and domestic use is to be encouraged  | Yes                                       |

| Control                                           | Details                                                                                                                  | Compliance                                 |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| Part E - The Natural Environment                  |                                                                                                                          |                                            |
| E1 - Preservation of trees or bushland vegetation | Development is to be sited and designed to minimise the impact on remnant native vegetation                              | Yes                                        |
| E6 - Retaining unique environmental features      | Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land | Yes                                        |
| E9 - Coastline hazard                             | The risk of damage from coastal processes is to be reduced through having appropriate setbacks and foundations           | Yes, refer to report from coastal engineer |
| E10 - Landslip risk                               | Area B and C - Geotechnical report must be provided                                                                      | Yes, refer to attached geotechnical report |

## 05 — CONCLUSION

## STATEMENT OF ENVIRONMENTAL EFFECTS

### 3 PAVILION STREET, QUEENSCLIFF

#### 5.1 Conclusion

This development application seeks development consent for alterations and additions to the dwelling at 3 Pavilion Street, Queenscliff. The development has been designed with an approach that embodies the aims and objectives of the current DCP and LEP, providing a response that is appropriate for the site and surrounding residential area.

In light of the merits of the proposal and the absence of any significant adverse environmental, social, economic, or planning impacts, it is recommended that the application be approved subject to standard conditions of consent.

Architecture

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