

Statement of Environmental Effects



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Demolish existing dwelling,

Construct a new dwelling and garage @

71 Florida Road, Palm Beach

Prepared For J Love

project no 2120

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issue A

1.0 INTRODUCTION

This Statement of Environmental Effects is a report that forms part of an application for development consent submitted to the Northern Beaches Council for: -

- Demolish existing dwelling and build a new 2 storey dwelling,
- New garage

The location of the proposal is 71 Florida Road, Palm Beach on which currently contains a single dwelling on Lot B, DP 340775, and a garage on Lot 107, DP 1246339. The site is zoned E4. The total site area is 594.8m² on title.

The site is generally regular in shape tapering towards the rear. The frontage has a width of approximately 18m and long side boundaries of 38m. The total site is the combined original site and an area of road reserve previously purchased with the garage.

The site slopes steeply up from the road from RL24 to RL41 at the highest point of the land at the rear boundary. The average slope of the site is 44%.

The site and the adjoining sites have scenic views as follows:

- An open view North to Barrenjoey Headland and Palm Beach to the Pacific Ocean over dwellings on the opposite side of the road
- A filtered view North East to the southern end of Palm Beach through the Norfolk island pine trees

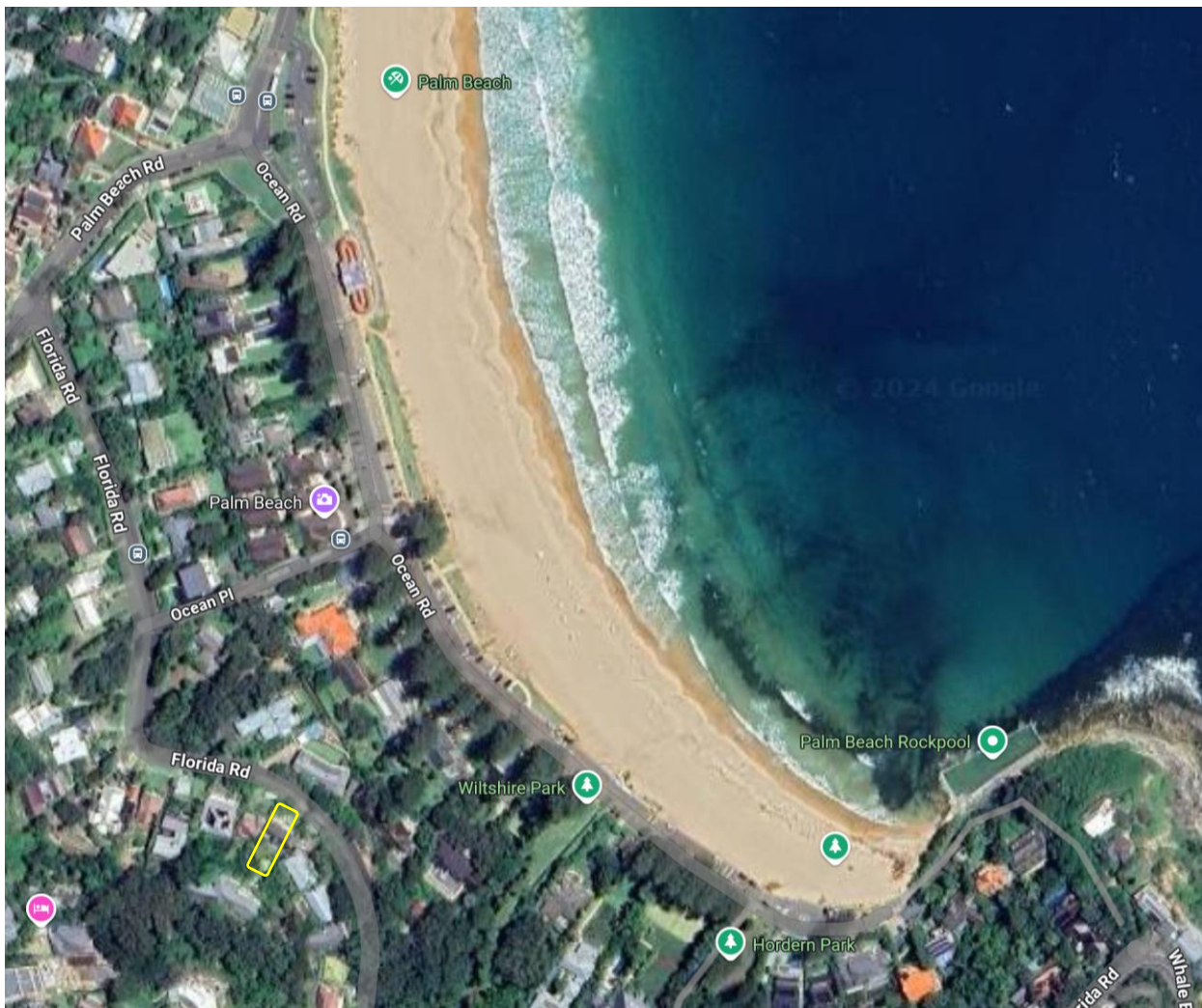


Figure 1. Aerial view of the location of the site (site outline in yellow).

2.0 THE SITE, BACKGROUND & DESIGN RESPONSE

The proposal seeks to construct a new dwelling to replace the existing dwelling and garage. The design recognises the importance of views to both adjoining properties and is positioned on the site to respect this amenity.

The key features of the site are:

- The site slopes up steeply from the road to the south rear boundary
- All sites have uninterrupted scenic views to the ocean and beach to the north
- The dwelling at 67 adjoining the east side boundary is significantly higher and has views past the front NE corner of the subject site
- Other dwellings do not have any impact on views due to orientation (73) and elevation (69).

This report refers to the following accompanying documents: -

- Architectural Drawings **A.00-A.13 issue A**, Project No.2120
- BASIX certificate
- Geotechnical Report
- Arborist Report
- Landscape Plan
- Stormwater Management Plan
- Survey

This report examines the issues of compliance with Council codes and applicable SEPP's, analyses the potential environmental impacts of the development and summarises the design opportunities that the proposal provides.

The images below provide a view of the streetscape of the subject site at 71 Florida Road (centre) in the context of the adjoining properties.



Figure 1. View of subject site of 71 (centre) 67 (left) and 73 (right).



Figure 2. View towards the subject site from the north east, 73 on right, 71 on left obscured by landscape

Figure 3. View 67 adjoining the east boundary of the subject site



Design Proposal

The design of the proposed new dwelling responds respectfully to the surrounding dwellings of the locality. The presentation to Florida Road is set back in keeping with the majority of residences and the dwelling is designed to step back up the slope to transition between its adjoining neighbours harmoniously.



Figure 4. 3D view from north west on Florida Road showing the proposed 71 (left) and the existing neighbouring dwelling 73 (right).

Figure 5. 3D view from north east on Florida Road with 67 (left), garage and inclinator to 69 at the rear above and overlooking the subject site (centre low) and the proposed new dwelling 71 (right).



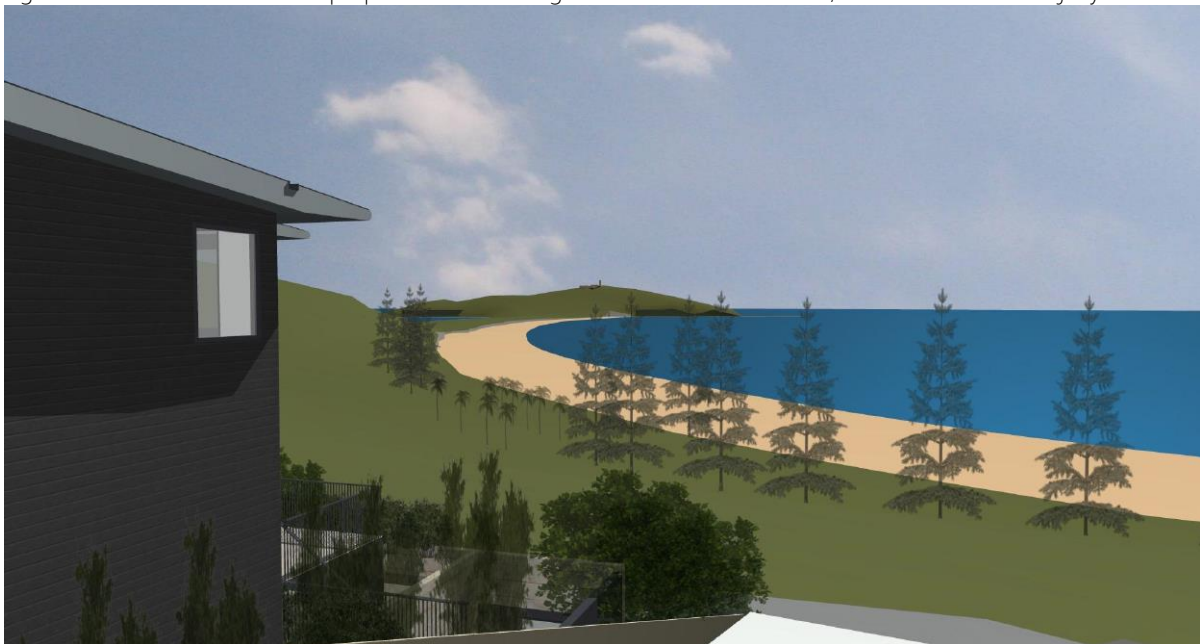
The street front setback is designed to work with the neighbouring dwellings and topography. The new garage is setback into the slope on average 3.2m and surrounded by landscape screening, with the roof height blending between the adjoining properties and following the slope of the land.



Figure 6. Street front perspective of the proposed dwelling

The design incorporates a number of elements that break the bulk and scale of the three storeys, with an open deck to the street, stone features and timber weatherboards – a material reminiscent of palm beach holiday cottages. The design is low scale, limited to two storeys on a sloping site with a detached garage connected by a lift and external stairs.

Figure 7. View from 67 with the proposed new dwelling at 71 – retains Palm Beach, the ocean and Barrenjoey Headland



3.0 PLANNING CONTROLS & COMPLIANCE

WARRINGAH LOCAL ENVIRONMENT PLAN 2011 & WARRINGAH DEVELOPMENT CONTROL PLAN

Pittwater LEP 2014

The PLEP is the principal planning instrument applicable to the land, and the relevant provisions of the LEP are assessed for the proposed development below

Zoning C4 Environmental Living

Zone Objectives (response in bold)

- To provide for low impact residential development in areas with special ecological, scientific or aesthetic values*
The proposal is a low impact dwelling in a landscaped setting and has no impact on special values of the site
- To ensure that residential development does not have an adverse effect on those values*
The proposed dwelling has no adverse effect on special values
- To provide for residential development of a low density and scale integrated with the landform and landscape*
The proposal is low density as a single dwelling. The proposal is well integrated to the site, stepping up the slope remaining under the height limit with setbacks to enhance landscape screening.
- To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors*
The proposal has no impact upon riparian or foreshore vegetation, or wildlife corridors as the dwelling replaces an existing dwelling in the same location.

Clause 4.3 Height of Buildings

Pursuant to clause 4.3 PLEP 2014 the height of a building on any land is not to exceed 8.5 metres. The stated objectives of such control are as follows:

- (a) *to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
The dwelling is consistent with the height and scale and consistent with the DFC.
- (b) *to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
The dwelling is compatible with the scale of nearby dwellings.
- (c) *to minimise any overshadowing of neighbouring properties,*
The proposal has varied and significant setbacks to the streetscape and results in compliant and minimal overshadowing
- (d) *to allow for the reasonable sharing of views,*
The proposal provides reasonable view sharing to adjoining dwellings, as demonstrated in 3D images to the dwelling at 67 Florida Road.
- (e) *to encourage buildings that are designed to respond sensitively to the natural topography,*
The proposal has been designed to step up the site to respond to the sloping site.
- (f) *to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items*
The proposal is designed to blend within the landscaped setting. The proposal is not within the vicinity of any conservation area or heritage item.

The **Height of Buildings Map**, identifies the site to be within land where the height of buildings is not to exceed 8.5 metres

The proposed works have a maximum height above existing ground level of 7.44 metres at a single point only and generally remains well below the limit.

The proposed new works have the highest point above existing ground as the eaves on the NE front corner. The eaves do not overlap with the existing excavated garage level, and therefore the maximum height is to the lowest existing natural ground level below the eaves.

The proposal complies with a height 1m lower than the LEP requirement.

B3.1 Landslip Hazard

Outcomes	• <i>Protection of People</i> • <i>Protection of the Natural Environment</i> • <i>Protection of public and private infrastructure and assets</i>
Controls	The NBC Mapping extract below indicates the site within risk. A geotechnical report is submitted with the application to confirm compliance with the Geotechnical Risk Management Policy for Pittwater

B5.5 Rainwater Tanks

Outcomes	• <i>Water conservation and reduction in mains water demand. (En, Ec)</i> • <i>Development is compatible with Water Sensitive Urban Design principles. (En)</i>
Controls	<i>All development creating an additional hard (impervious) roof area of greater than 50m² must provide a rainwater tank for non-potable use connected to external taps for the purpose of landscape watering and car washing and a functional water reuse system including, water supply for toilet flushing and other uses as permissible under the current Code of Practice for Plumbing and Drainage.</i>

The Stormwater Management plan identifies the existing and proposed impervious areas. The proposed new dwelling has an additional impervious area less than 50m² and therefore has no OSD. Rainwater tanks are provided to comply with BASIX.

2 x 5,000L rainwater tanks are provided underground in the turf area of the front garden as shown on the architectural and landscape plans.

The Rainwater Tanks collect all water from the roof drainage of the new dwelling and provide re-use to WC and landscape areas. The system overflows and discharges into the existing dish drain leading to the kerb inlet pit to the north of the site in Florida Road.

The proposal complies.

B5.15 Stormwater

Outcomes	• <i>Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;</i> • <i>Minimise the risk to public health and safety;</i> • <i>Reduce the risk to life and property from any flooding and groundwater damage;</i> • <i>Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.</i> • <i>Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle</i> • <i>Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources</i> • <i>Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.</i>
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Controls	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy
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A stormwater engineer has provided a Stormwater Management Plan. The proposal includes a minimum 8000L requirement. The plans specify a total 10,000L storage capacity to comply with BASIX.

Plans and calculations accompany the application to comply with the above Policy.

The proposal complies.

B6.1 Access Driveways

B6.2 Internal Driveways

B6.3 Off-Street Vehicle Parking

Outcomes	• <i>To ensure safe and convenient access and parking is provided.</i> • <i>Pedestrian Safety</i>
Controls	The proposal details a new driveway with levels that comply to council's requirements and provides off-street parking for 2 cars behind the building line, using driveway profiles in Appendix 10 of the DCP The proposal complies.

C1.1 Landscaping

Outcomes	• <i>A built form softened and complemented by landscaping.</i> • <i>Landscaping that reflects the scale and form of development.</i> • <i>Retention of canopy trees by encouraging pier and beam footings</i> • <i>Development results in the retention of existing native vegetation</i>
Controls	The proposal complies. The proposal includes a Landscape Plan to enhance the native species for the site including replacement canopy trees.

C1.3 View Sharing

Outcomes	• <i>A reasonable sharing of views amongst dwelling.</i> • <i>Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible enhanced</i> • <i>Canopy trees take priority over views</i>
Controls	<i>All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties. The proposal must demonstrate that view sharing is achieved through application of Land and Environment Court planning principles.</i>

The site and surrounding sites all enjoy direct views to the north to the beach, headland and the ocean. These views are from 69 over the roof of the proposed dwelling (below) and across the frontage of the site for 67 (figure 7). All views are retained, no views are lost

Figure 8. View from 69 at the rear above the subject site.



C1.4 Solar Access

Outcomes	• <i>Residential development is sited and designed to maximise solar access during mid-winter.</i> • <i>A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.</i> • <i>Reduce usage and/dependence for artificial lighting.</i>
Controls	The proposal is accompanied by shadow diagrams. These demonstrate compliance with the controls for maintaining solar access to adjoining properties. In particular, solar access is only relevant to the property at 67 Florida Road. Shadow diagrams demonstrate that this property receives compliant solar access

C1.5 Visual Privacy

Outcomes	• <i>Habitable rooms and outdoor living areas of dwellings optimize visual privacy through good design</i> • <i>A sense of territory and safety is provided for residents.</i>
Controls	<i>Private open space areas including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).</i> The proposed design has minimised overlooking with only the front balcony looking over the front yard of the adjoining property. No private open spaces are overlooked. The proposal complies with the outcomes and controls for privacy.

D12 Palm Beach Locality

D12.1 Character as Viewed From A Public Place

Outcomes	<i>To achieve the desired future character of the Locality.</i> <i>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built form and natural environment.</i> <i>To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.</i> <i>The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation.</i> <i>High quality buildings designed and built for the natural context and any natural hazards.</i> <i>To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.</i>
Controls	The location of the site with topography sloping up from the street, exposes the façade to the Streetscape. This façade is carefully designed and detailed to comply with all controls and objectives. The proposed new dwelling provides a façade that includes an entry feature, windows, verandas and recessed architectural elements, recessed and projecting architectural elements and a balcony with a planter box over the garage door. The proposal complies.

D12.2 Scenic Protection

Outcomes	<i>Achieve the desired future character of the locality</i> <i>Bushland landscape is the predominant feature of Pittwater with the built form being secondary component of the visual catchment</i>
Controls	The proposal satisfies all controls of D12.2

D12.3 Building Colours, Materials and Construction

Outcomes	<i>The development enhances the visual quality and identity of the streetscape.</i> <i>To provide attractive building facades which establish identity and contribute to the streetscape.</i> <i>To ensure building colours and materials compliments the visual character of its location with the natural landscapes of Pittwater.</i> <i>The colours and materials of the development harmonise with the natural environment.</i> <i>The visual prominence of the development is minimised.</i> <i>Damage to existing native vegetation and habitat is minimised.</i>
Controls	The proposal satisfies all controls of D12.3 with the colours and materials as presented in the colour and finishes schedule.

D12.5 Front Building Line

Outcomes	<i>Achieve the desired future character of the Locality.</i> <i>The amenity of residential development adjoining a main road is maintained.</i> <i>Vegetation is retained and enhanced to visually reduce the built form.</i> <i>Vehicle manoeuvring in a forward direction is facilitated.</i> <i>To encourage attractive street frontages and improve pedestrian amenity.</i> <i>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.</i>
Controls	The controls require that 'The minimum front building line shall be 6.5m, or established building line, whichever is the greater'. The proposed minimum front setback is 7.5m to the closest part of the balcony for the dwelling. The dwelling complies. The established building line produces a range of setbacks as the subject property is on a part of the street where the property projects out to a corner. The proposed design uses the front building line of no.67 and projects this parallel to Florida Road. The proposed setback is within this projected line. The setback to the garage is on average 3.2m, replacing an existing garage with a NIL setback to the front boundary. The adjoining garage at no.69 is at a nil setback. The proposed variation to 6.5m should be supported to minimize excavation for the steeply sloping site, as there are no impacts from the proposed setback. In summary, the proposal generally complies with established dwelling and garage setbacks and achieves the outcomes of the policy to warrant support of the application.

D12.6 Side and Rear Building Line

Outcomes	The proposal satisfies all outcomes of D12.6 <i>Achieve the desired future character of the Locality.</i> <i>The bulk and scale of the built form is minimised</i> <i>To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping</i> <i>To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties</i> <i>Substantial landscaping, a mature tree canopy and an attractive streetscape</i> <i>Flexibility in the siting of buildings and access</i> <i>Vegetation is retained and enhanced to visually reduce the built form</i>
Controls	The controls require that the minimum setback is 2.5m for at least one side and 1m for the other and 6.5m to the rear or foreshore building line.

The proposal has a minimum setback to the east side boundary of 1.5m and various setbacks to the west side boundary of 1.0 – 1.8m.

The proposal integrates to a steeply sloping site and minimises the building footprint on a small site area, to achieve more than the DCP 60% landscape ratio.

The design minimises excavation and building height to locate the building footprint in an area where there is no impact from overshadowing, no loss of privacy and low bulk and scale.

If the proposal were to strictly comply with the setback of 2.5m to one boundary, it would force the footprint to change and elongate up the site, causing additional excavation and loss of existing landscape.

Although the proposal does not provide strict numerical compliance, it results in a superior outcome for the site landscape and achieves the outcomes of the policy as follows:

- Desired Future character is achieved
- Bulk and scale is minimised as the building is a low 7.44m maximum height above ground
- There is no impact on view sharing or privacy from the reduced part of the setback
- There is no impact on overshadowing due to the orientation and sun angles due to the reduced portion of the setback
- Landscape screening is achieved

Therefore the justification is provided for a varied setback.

D12.8 Building Envelope

Outcomes The proposal satisfies all outcomes of D12.8
To achieve the desired future character of the Locality. (S)
To enhance the existing streetscapes and promote a [building](#) scale and density that is below the height of the trees of the natural environment.
To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.
The bulk and scale of the built form is minimised. (En, S)
Equitable preservation of views and vistas to and/or from public/private places. (S)
To ensure a reasonable level of privacy, amenity and solar access is provided within the development [site](#) and maintained to residential properties. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)

Controls The controls require that 'Buildings are to be sited within an envelope projected at 45 degrees from a height of 3.5m above natural ground level at the side boundaries....'.

The proposal complies generally with the building envelope for a sloping site, with minor areas of non-compliance in the side boundaries.

There is minor non-compliance with building envelope, however there is no impact from this non-compliance to view sharing, bulk and scale, privacy or overshadowing.

A variation to the policy is sought.

Justification for the variation is provided by compliance with the outcomes of this policy:

- The proposal achieves the Desired Future character of the locality.
 - The proposal has no impact on streetscape, but provides a building scale and density below the tree line
 - The proposal is sensitive to the spatial characteristics of the existing environment
 - Bulk and scale is minimized with the dwelling stepping up into the slope and minimizing height well under the 8.5m maximum in the areas of the dwelling in the breach location
 - The non-compliances of the proposal have no impact on views from any private or public lands
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- The proposed area of non-compliance maintains privacy, amenity, and solar access. The area of non-compliance is relatively small in consideration of the combined slopes of the site from north to south and west to east.

The proposal warrants a variation to policy and should be supported for approval.

D12.10 Landscaped Area – Environmentally Sensitive Land

Outcomes	<i>Achieve the desired future character of the Locality.</i> <i>The bulk and scale of the built form is minimised.</i> <i>A reasonable level of amenity and solar access is provided and maintained.</i> <i>Vegetation is retained and enhanced to visually reduce the built form.</i> <i>Conservation of natural vegetation and biodiversity.</i> <i>Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.</i> <i>Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.</i>
Controls	The site is identified within Area 1 of the Landscaped Area map. The control requires a minimum of 60% of the site shall be landscaped area. The proposed landscape area is 363m² or 61%. The proposal complies.

5.0 CONCLUSION

The proposal to construct **a new dwelling and garage** at 71 Florida Road, Palm Beach as submitted is permissible with the consent of Council. The development is consistent with the provisions of the Pittwater LEP 2014 and responds to the relevant DCP controls and outcomes.

The proposal is in keeping with the Desired Future Character statement for the area. The development will provide a positive contribution to the locality. The proposal will not have any unacceptable adverse environmental effects and conforms to the relevant statutory planning requirements.