

STATEMENT OF ENVIRONMENTAL EFFECTS (SofEE)

107 Iris Street, Beacon Hill, NSW 2100

DATE:

March 2023

PROJECT APPLICANT

Maree Jaloussis

CLIENTS

Maree Jaloussis Hayes and Michael Hayes

PROPOSAL DESCRIPTION

Proposed Torrens Title Subdivision of 1 lot into 4 lots.

PROPOSAL REFERENCE NUMBER

XXXXX

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. The top photo shows the 34.695mt frontage between the yellow marks.

The current driveway has a large bend in it and doesn't travel straight up the boundary, as the new one will. This can be seen better in the picture on page 8.

1. Introduction

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

The proposed development is detailed in the Application package submitted with the Development Application as well as in this document. It has been discussed with Council in a Pre-DA meeting on 8 November 2022. This application meets with the requirements requested by council from the minutes of that meeting.

This Statement provides a response assessment of the development proposal with respect to the relevant legislative context, social, economic and environmental impacts, and potential impacts of the works on the surrounding locality as well as any measures proposed within the application to mitigate such impacts.

This Statement details the proposed developments consistency 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*

In this regard, it is envisaged that the proposed development is consistent with the aims and objectives of the relevant environmental planning instruments and development control plan, whilst also being compatible with the emerging character of the locality and minimising any potential impacts on the amenity of the adjoining properties.

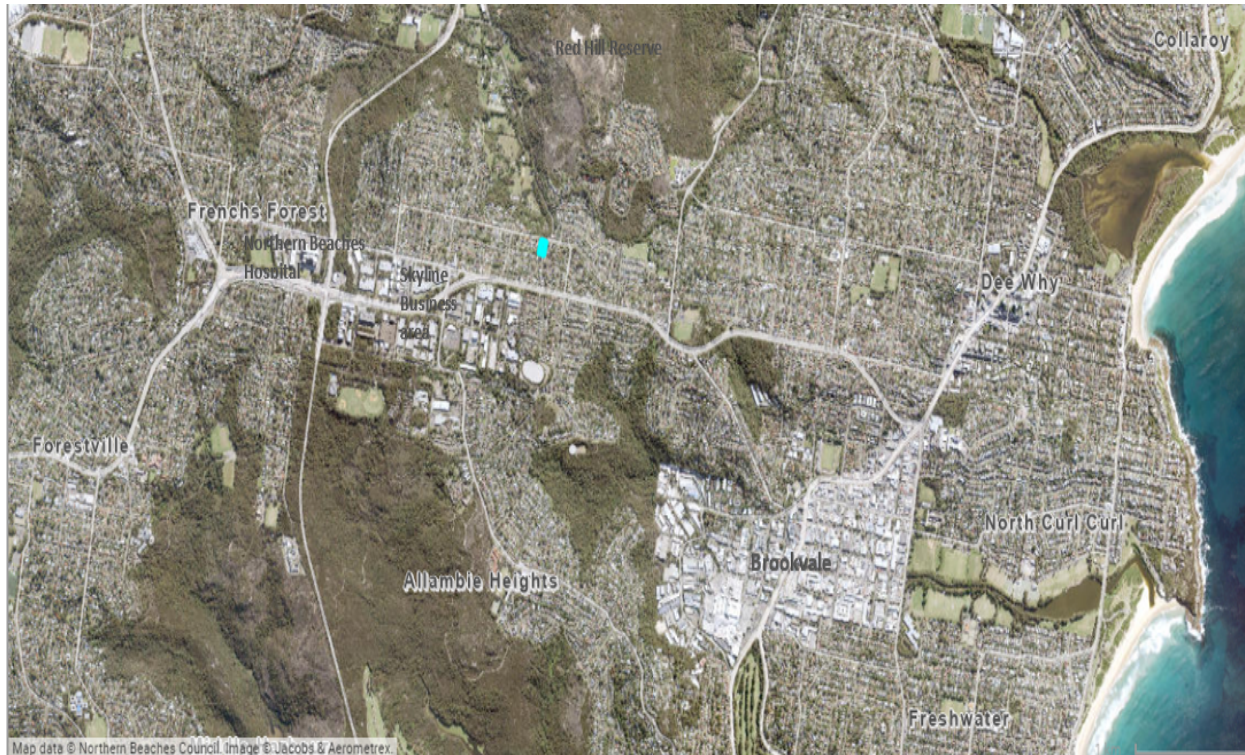
Regarding the lot sizes, after Council's feedback and support following the Pre- lodgement DA Meeting on 8 November 2022, the applicant seeks a 4.6 variation request concerning WLEP 2011 Clause 4.1 R2 zoning minimum lots sizes as outlined in the Clause 4.6 variation request which is part of this document.

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 kilometre from the Skyline business area, two kilometres from the Frenchs Forest Health and Education precinct and future centre and three kilometres from the Brookvale Business and Shopping Precinct.

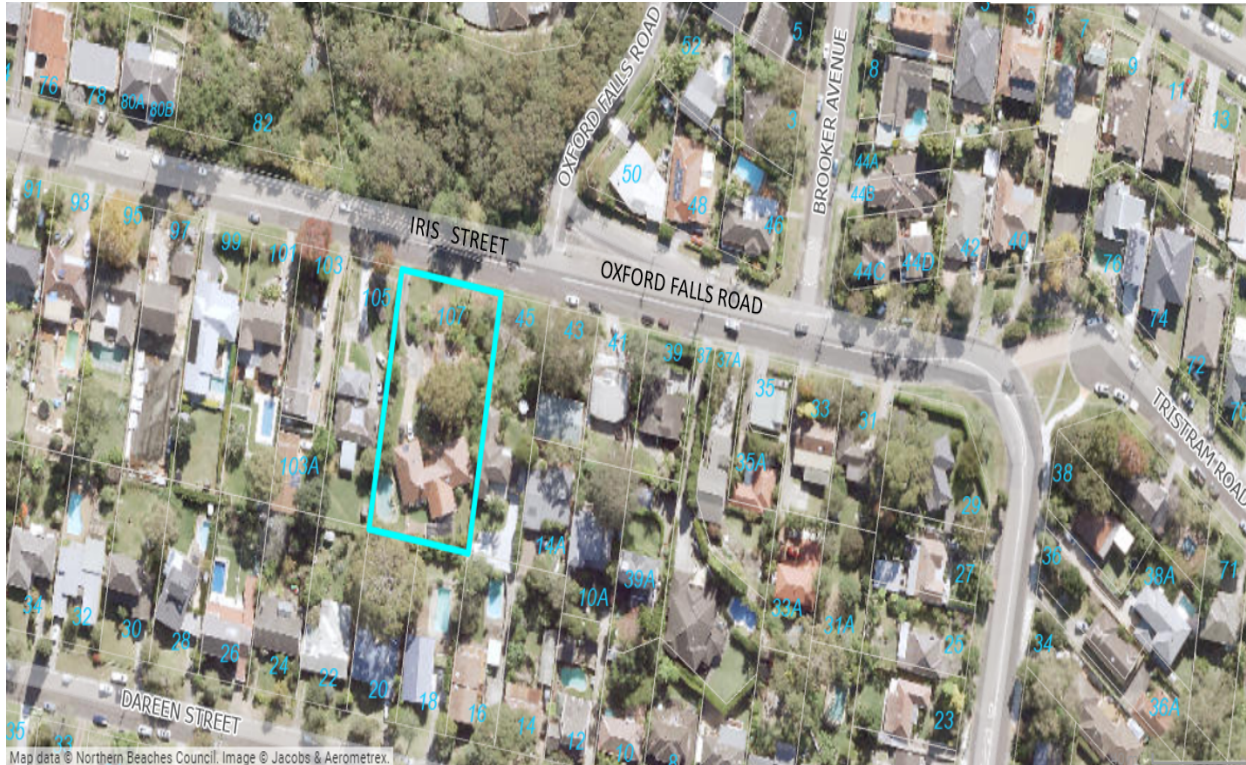
It is also in proximity to recreational areas, including Red Hill Reserve, Beacon Hill Oval and Dee Why and other beaches and recreational areas.

Major traffic and public transport bus routes that run along Iris Street and Warringah Road locate the subject site near.

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 large block size for the immediate locality, with an area of 2254.8m².

In the surrounding locality there are a variety of lot sizes, 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 our 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 45 Oxford Falls Road Beacon Hill. See next picture.

Site Detail Map

107 Iris Street, Beacon Hill

(Outlined in aqua)

(45 Oxford Falls Rd the direct eastern neighbour (on the right) is now (but not registered as yet) a 2 lot block as per #43/14A).

As is 103 & 103A to the west (left).



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. (The boundaries are on the left and right hand edges of this photo.)

At the rear, southern part of the site is an existing five 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 metres. The site has a pleasant prospect with filtered bush views towards the Oxford Falls rural and Red Hill recreational areas.

The site has a northern orientation towards the direction of Iris Street. This northerly aspect together with the slope is advantageous to the future dwelling design potential of the site for 2 lots from this partial perspective.

Outlook from the site showing bush views and northerly aspect.



This picture shows the rock escarpment that rises up 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 near ankle height. The top rock outcrop starts approximately 3 metres behind the building setback line and is generally flat in most places with an elevation at the back eastern side
(it is difficult to see some parts of it due to the removal of extensive privet on the site for surveying purposes).



*The photo below features the sandstone rock outcrop that is located in the northern area of the site.
View of rock shelves/outcrop and existing house*



In the middle, left of the site is a mature English Oak tree (Quercus robur) which is being preserved.
An Arboriculturalist Impact Assessment report has been prepared by Sydney Arborist, dated 30/01/2023 and discusses the management and protection of the tree and forms part of the application.

4. Proposed Subdivision

Following advice from council of keeping consistent sizes and growth for future housing, this development application is seeking consent for the Torrens Title subdivision of the subject site from one (1) lot into four (4) lots including new vehicular access driveway.

Lot sizes

In order to create four viable lots with associated access driveways and easements, the lot sizes result in site areas that are less than the WLEP CI 4.1 R2 zoning standard of 600 m².

However, they are still exceed the minimum width and depth lot size with all lots being greater than 13mts x 27mt.

This is as supported by Northern Beaches Council at the Pre-lodgment Meeting dated 8 November 2022 subject to a 4.6 variation request, which attached separately and prepared by Urbanesque Planning.

The Master Plan for the proposed site is that the subdivision would be carried out in two stages. The first stage would comprise of Lots 1 and 2 closest to Iris Street to be finalised along with all services required (ie electricity, water, sewage and stormwater) and set up for connections to Lot 3 & 4 when it will require the knock down of the existing house. The Land Registry Services (LRS) will be done at that stages 1 for Lots 1& 2 and then Stage 2 for Lots 3 & 4.

Stage 1 would include the installation of all services for the entire site being carried out for the entire site and the connections for all Lots.

Stage 2 would comprise of Lots 3 and 4 services at the rear of the site being established after knock down.

The staged approach allows the original residence to remain until Stage 2 is enacted. Stage 2 can be implemented at a future date we would suggest within the usual 5 years that a DA lasts. This would include Building Proposals being lodged for the front in Stage 1 only.

Therefore, the existing dwelling is to be retained in Stage 1 and situated on the newly created battle-axe lot would form the proposed Lots 3 & 4. **The lots are each sized in the vicinity of 451-521m² which excludes the driveways and ROWs. This fits with the smaller lot sizes that exist to the east of the street, many others in the local vicinity of a 1km radius and in line with government policy to fit 10 000 more housing sites on the Northern Beaches, along with smaller blocks for more affordable housing.**

Vehicular access

The existing cross over and driveway runs from Iris Street with a large curve to the mid rear of the property.

The proposed crossover and driveway would be located on the same cross over but would instead run straight up the of the property to allow better use of site area and lot designs.

All the lots would be accessed via the single crossover and driveway (as recommended by Council).

Due to the near roundabout and council recommendations following the Pre-DA Meeting feedback provided it was recommended to access the driveways internally. **Unlike lots with external access this will make our blocks appear smaller as the driveways, access and ROWs are all excluded from the lot size.**

With Lot 1 entering from the corner of the access handle on the western boundary and Lot 2 entering from the rear along the east/west part of the proposed new part of the driveway around the back of the retained Oak tree. In Stage 2 Lot 3 (and the existing house) will access their lot at the top of the driveway and Lot 4 will be opposite and west slightly of Lot 2.

As this is a Subdivision proposal only, is the proposed Stage 1 and the lot is sub-dividable without needing a building proposal. It is envisaged the Council understands 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.

Landscape considerations

The subject site is classified under Warringal DCP -D1 – Landscaped Open Space and Bushland Setting. The Proposed subdivision of lots will 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.

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

The Arborist has stated in their report that this is achievable by using metal piers between any roots for structural support. However, to fit the required 2 car garage between the tree and the eastern boundary we are requesting of Council that they allow the applicants to utilize 300mm from the neighbouring property to form part of the 3000mm Stormwater Easement that they have requested.

This would ensure that the Structural Root Zone and tree height are provided that bit extra space for a modest 5.6mt garage. This is discussed further in this submission.

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.

On the western boundary, as per the Local Environment Plan further landscaping will occur on the 1000mm/1mt just inside the fence and for the length of the boundary and driveway. This area will also house most of the services. 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 required (as per the standard for 1-4 lots) clear width driveway to top of the proposed rear boundary where it then turns to the east to continue on where it will create the entrance to Lot 2 (113) and meet with the boundary to the neighbouring property (being 45 Oxford Falls Road).

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 to keeping within the surrounding areas natural bush beauty.

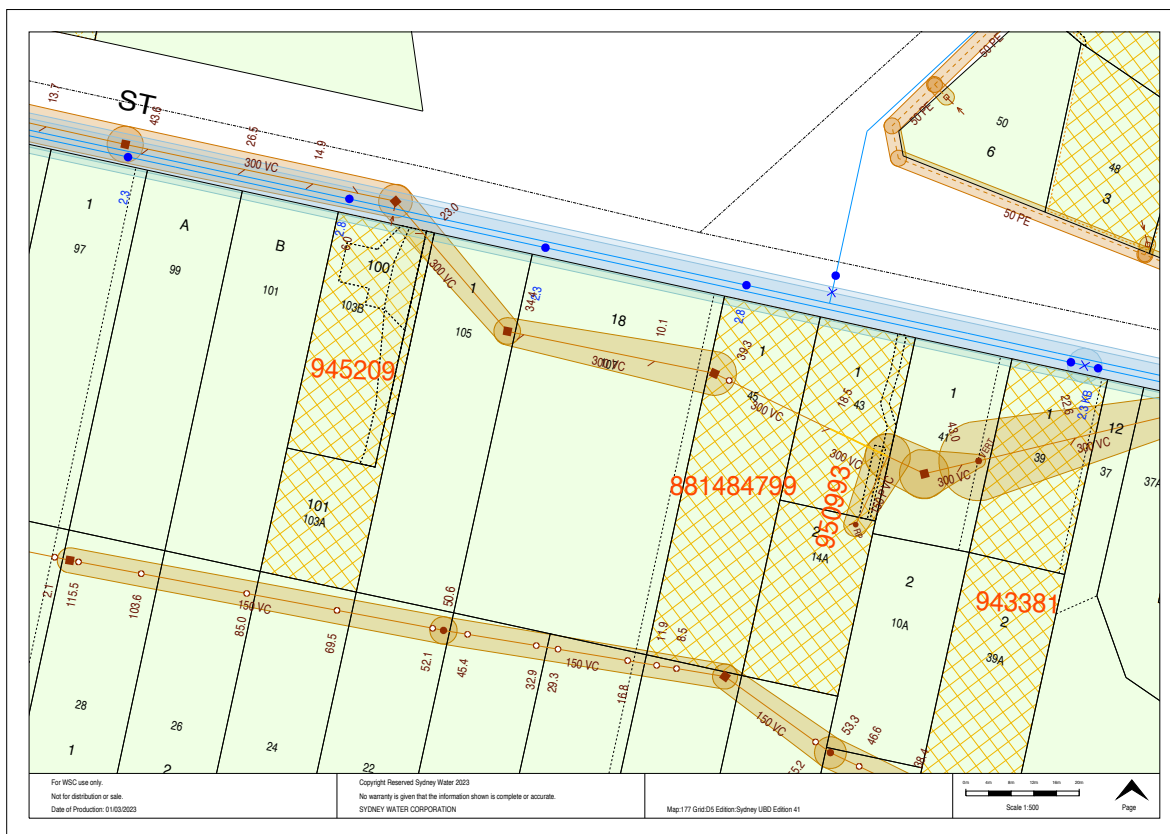
Sewer Mains Easement

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 and Sydney Water 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.

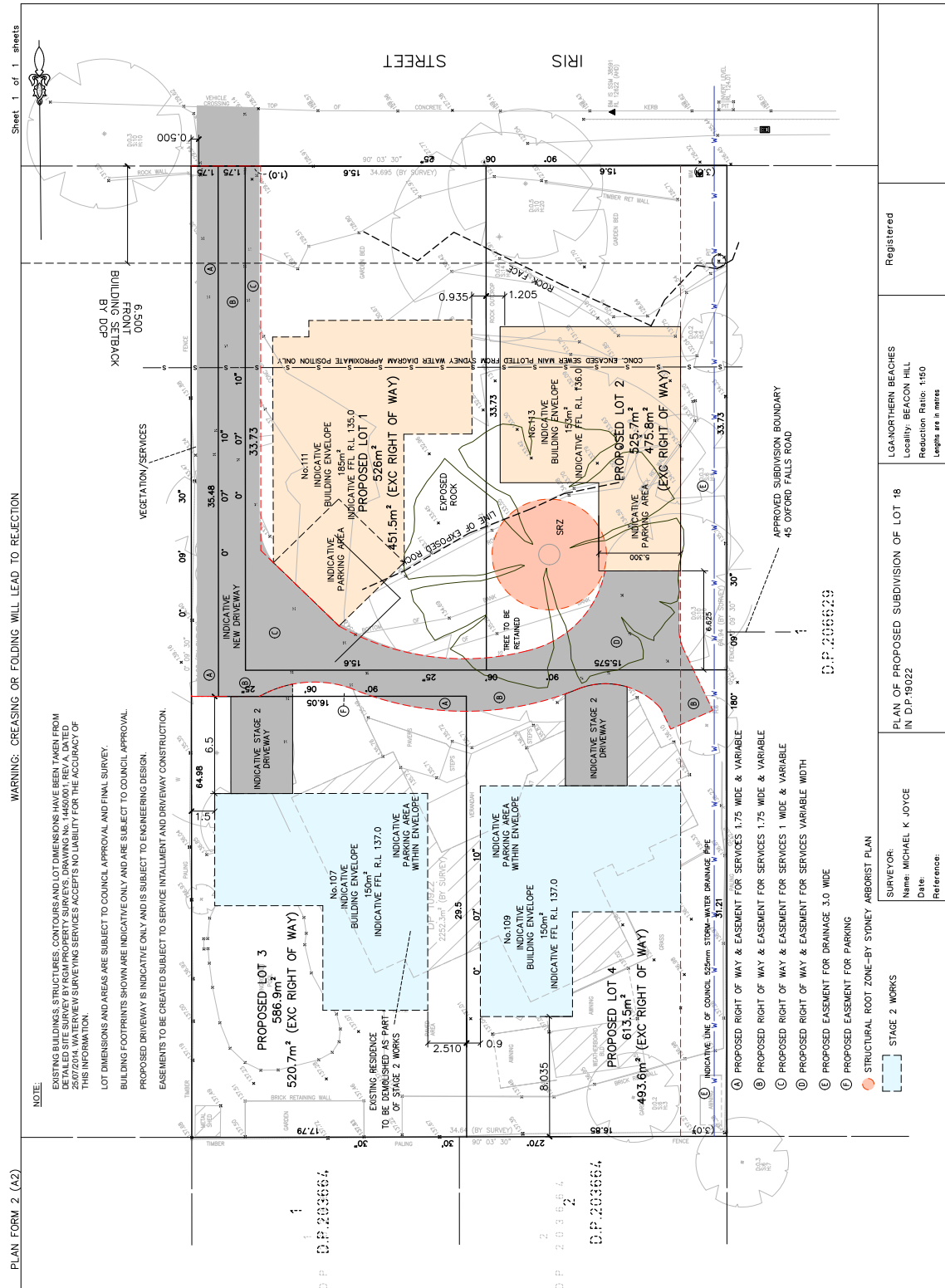
The standard requirement is with a 450 mm gap between it and the underside of any dwelling (ref MGP Pty Ltd).

Having said that the mains are currently encased in concrete. During the addition of the two new front blocks these will need to be tapped into to connect a new Y junctions for the new residences. This will be done as part of the sewage services installment by the Sydney Water mains specialists.

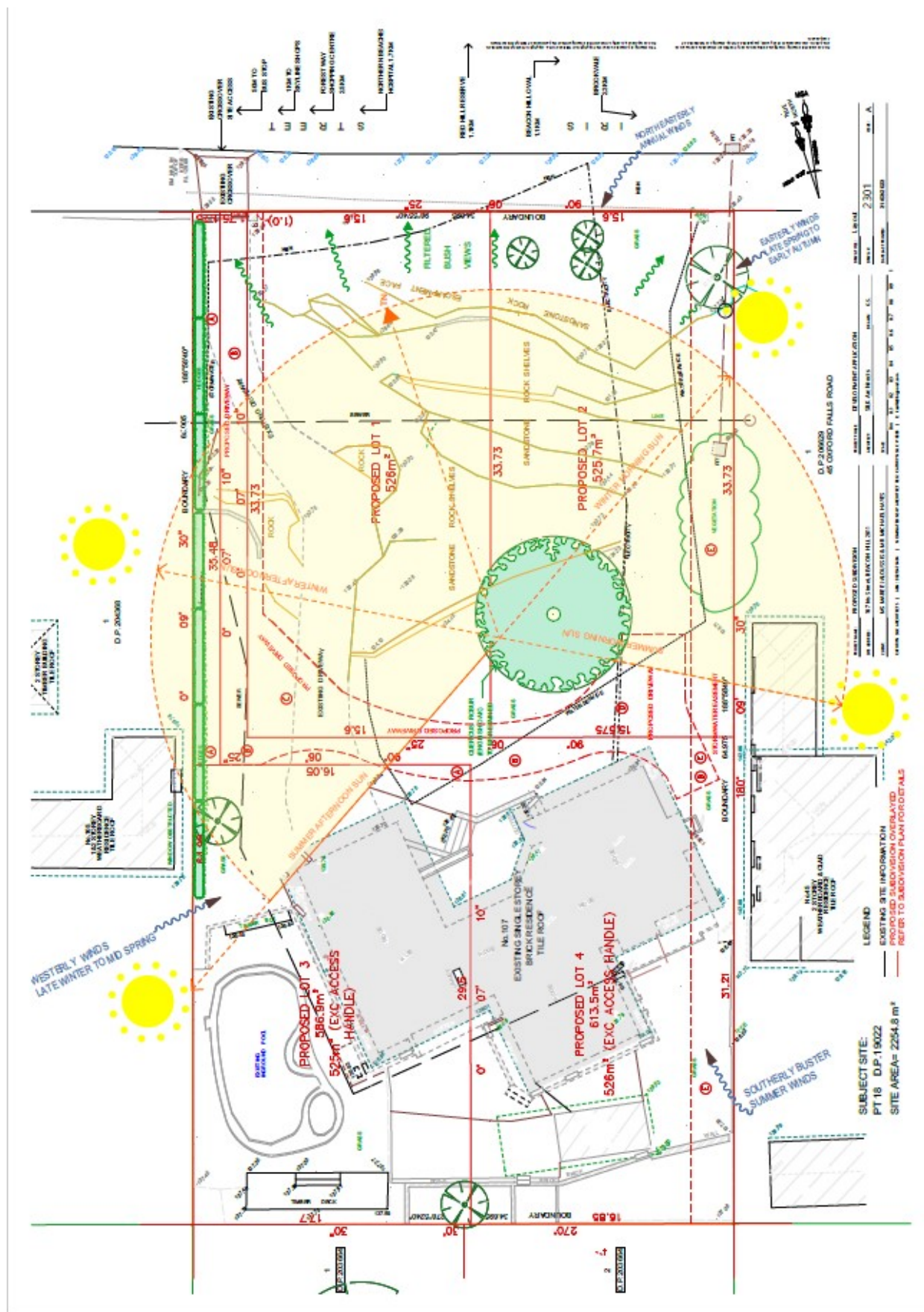


PLAN FORM 2 (A2)		WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION		Sheet 1 of 1 sheets	
NOTE: LOT DIMENSIONS AND AREAS ARE SUBJECT TO COUNCIL APPROVAL AND FINAL SURVEY. EASEMENTS TO BE CREATED SUBJECT TO SERVICE INSTALLMENT AND DRIVEWAY CONSTRUCTION.					
D.P. 2013664 1		D.P. 2013668 1			
SURVEYOR: Name: MICHAEL K. JOYCE Date: Reference:		PLAN OF PROPOSED SUBDIVISION OF LOT 18 IN D.P. 19022		LOANORTHEN BEACHES Locality: BEACON HILL Reduction Ratio: 1:50 Length are in metres	
		Registered			

(driveways are indicative only and will be finalised exactly with the house)



8. Site Analysis Plan



9. Statutory Framework

9.1 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 Size Map](#) 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:

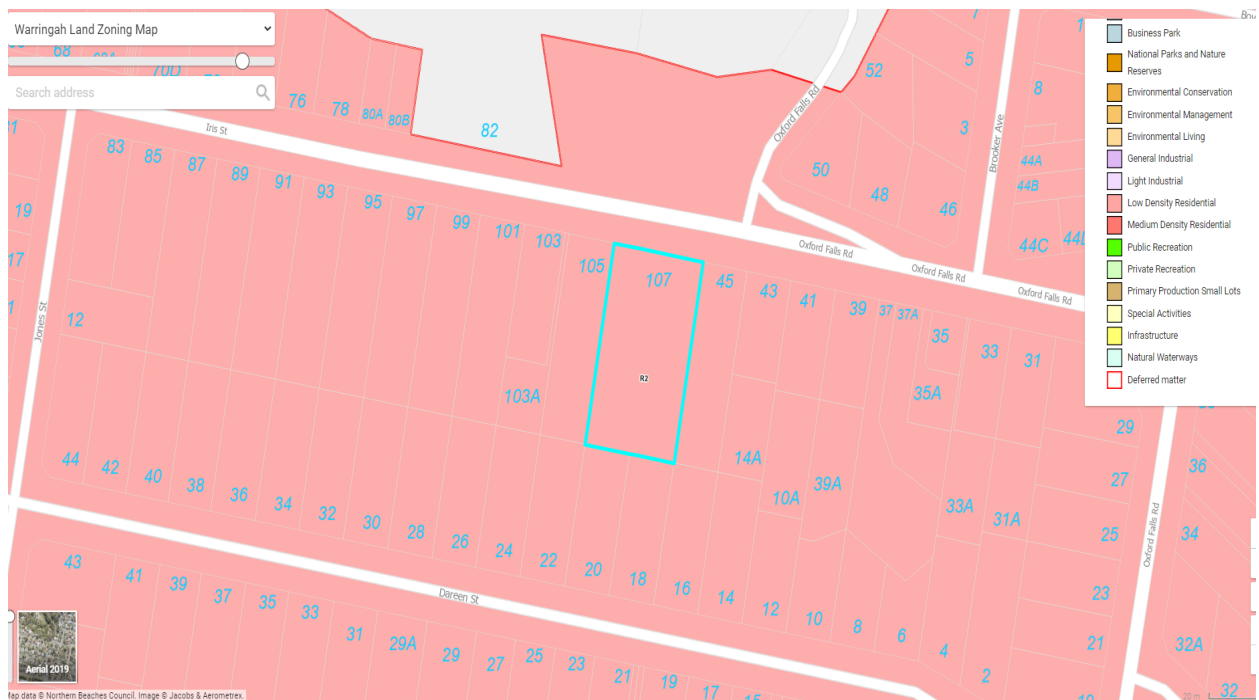
- The proposed development seeks subdivision under Clause 2.6.1
- The proposed subdivision is less than the R2 Residential zone minimum lot size.
- The proposal seeks an Exemption under WLEP Clause 4.6 which is submitted separately to this document.

Clause 4.1 - Zone R2 - Low Density Residential.

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 to the above points 1 & 3 (2 is not relevant).

1. The subject site is zoned R2 – Low Density Residential
2. The proposed subdivision meets and exceeds the minimum width and depth mts allowed of **13mt x 27mt** with each block being at a minimum of **15.5 – 17.78 mts x 29.5-33.73mts**.
3. To enable the subject site to be subdivided into 4 x viable lots, the minimum lot size has been reduced from the zoning standard of 600 m².
4. The site area **(in bold)** of each lot excludes any access handles and easements.
5. Shown here are the **lot sizes including variation % from the standard excluding (bold)**.

Also included to show the difference with a standard block with their share of the driveway/ROWS included (italics):

- **Lot 1: 451.5 m² (24.7% below the standard of 600 m²)**
- *Lot 1: 526 m² (12.3% below the standard of 600 m² with their share of access included)*
- **Lot 2: 475.8m² (21% below the standard of 600 m²)**
- *Lot 2: 520.7 m² (13.2% below the standard of 600 m² with their share of access included))*
- **Lot 3: 520.7m² (17% below the standard of 600 m²)**
- *Lot 3: 586.9m² (2% therefore within the allowance of 10%)*
- **Lot 4: 493.6m² (17% above the standard of 600 m²)**
- *Lot 4: 613..5m² (Over the standard of 600 m² with their share of access included)*

6. It is considered that this proposed development be assessed as compatible with the governing zone objectives.
7. The proposed lots whilst being less than 600m² still allow for dwellings to be in a low density residential environment and meet the 150m² min building envelopes.
8. The R2 low-density character would still be maintained with the subdivision pattern of the lots.
9. There is a need for smaller, more affordable blocks, which this development provides.
10. The Lots are located in proximity to facilities and services that meet the day-to-day needs of residents. The less than one kilometre from the Skyline business area, two kilometres from the Frenchs Forest Health and Education precinct and future centre and three kilometres from the Brookvale Business and Shopping Precinct.
11. It is also in proximity to recreational areas, including Red Hill Reserve, Beacon Hill Oval and Dee Why and other beaches and recreational areas.
12. The subject site is also in proximity to a public transport bus routes along Iris Street and Warringah Road.
13. The proposed subdivision directly aims to provide for the housing needs of the community with negligible impacts on environmentally sensitive locations and scenic quality.
14. The subdivision design allows for all the lots to benefit from a Northern aspect and leafy prospect with partial district bush views of the locality.
15. The subdivision will allow for the harmonious landscape settings with the natural environment of Warringah.
16. The Old English Oak tree that is a significant feature on the block and in the streetscape, will be preserved and protected.
17. As part of the development further native & bird attracting trees will be added along the access handle to encourage birdlife and add to the nature harmony of the area.
18. As the proposal is less than the WLEP 2011 4.1 standard, an exemption is sought under WLEP Clause 4.6 which is included in a separate document.

Clause 4.2

Clause 4.3 Permitted with consent -

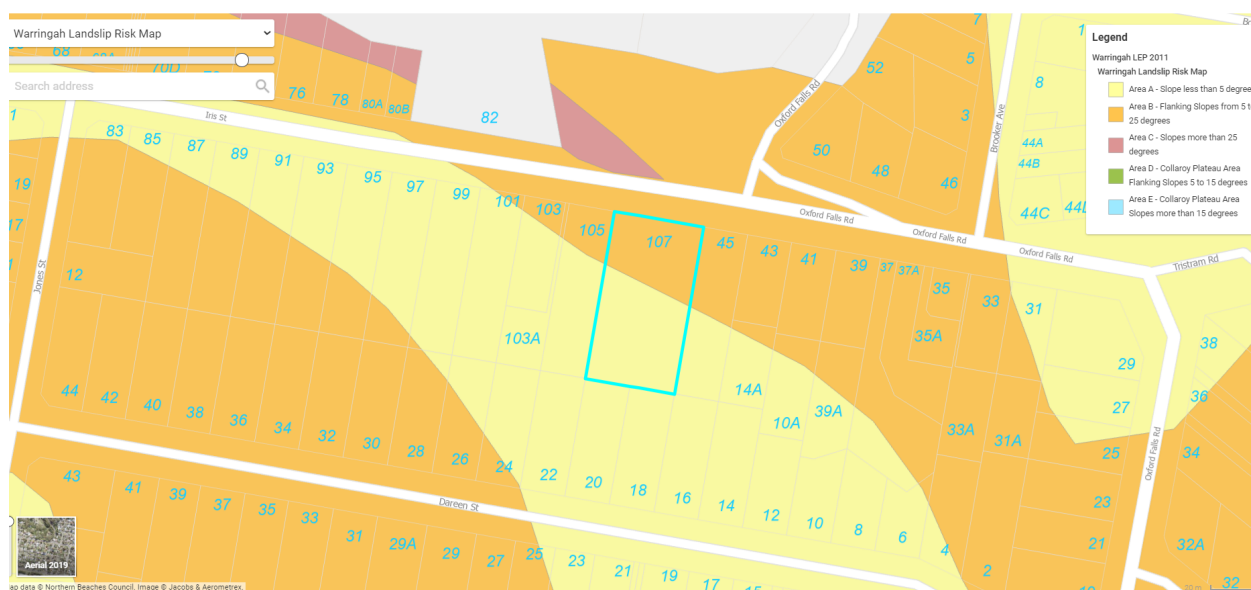
*Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; **Dwelling houses**; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group 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. The is negated by the fact that this area of the block is a majority of rock with little chance of slippage.**
4. 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.
5. The Geotechnical report by prepared by Geotechnical Consultants Australia on 3 December 2019. 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.

9.2 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: <i>As per DCP Map is 900mm.</i>	The development site is subject to a minimum side setback of 900mm and the allotments meet this requirement. The western boundary first 35mts however does include where the services will run in the immediate 1000mm from the boundary. On top of this will be a planting of low native hedge for natural landscaping, privacy and softening of the driveway. On the Eastern Boundary there is a stormwater easement that council require access to and have requested to go from the 1.83mt to 3mt wide easement. The applicant requests that as the neighbouring property at 45 Oxford Falls Rd (whom have lodged a variation to their DA to request an easement for their stormwater on the adjoining boundary to Lot 2) that they share the 300mm closest to their common boundary. The applicants have agreement from the neighbouring property that this would be allowable with a legal agreement to follow if council were to see fit to approve this. Thus in the event that the easement did require council access that they would have 2700mm from the applicants side and 300mm from the neighbouring side making the total 3000mm. With the major stormwater pipe not starting till 900mm from the applicant's boundary this offers an extra buffer on that same side whilst still offering a great 1800mm on the applicant's side of the pipe.

	With the constraints of the tree particularly creating entry difficulty for the driveway it is hoped Council can see their way clear to compromise on this sharing of this section of the easement.
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: <i>As per DCP Map is 6.5mts.</i>	The DCP requires a 6.5m front setback. The future dwellings within proposed Lots 1 & 2 will be in line with Council's minimum 6.5 m setback. Due to the steeply sloping topography of the site, the driveway for Lot 1 (111) will enter in off the proposed north/south driveway and left onto the rock outcrop. 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 3 and 4 also comply with the 6.5 metre front setback.

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.	The proposed DA complies and exceeds with the subdivision requirements of width, depth and minimum building area. <u>Lot 1 (111)</u> Width: 15.6 Depth: 35.73 Building area: – >150m² <u>Lot 2 (113)</u> Width – 15.6 Depth – 35.73m Building area: – >150m² <u>Lot 3 (107)</u> Width – 16.05m Depth – 29.5m Building area: – >150m² <u>Lot 4 (109)</u> Width – 16.05 Depth – 31.21m Building area: – >150m² ... A new Right of Way (ROW) will be created to access all blocks. The current access to 107 will be improved to run right along side the western boundary (it currently has a very wide S bend in it). Plus 1000mm services/ nature easement will directly run alongside the boundary fence (rather than curved as it is currently).
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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 in excess of 200 metres will not be allowed for residential development. 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 (ROW) 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	Easements have been established to give ROW where necessary. This complies with the Access width standards of 3.5mts for 1-4 lots. The new access driveway will be compliant with service vehicles etc access. All gradients have been met. N/A The access to driveway via Lot 1 will provide the passing area as the driveway will be 35.48mts long. However, the turning angle starts at approx. 25mts. The Driveway is a straight length with clear line of sight and is just over the standard of 30mts being 35.48 mts. The left turn to the east/west access handle starts at 23.73mts, well before the 30mts. According to Council's feedback on the day of the Pre-DA meeting as long as the access way is a long straight driveway so there are not any blind spots it can be longer than the 30mt standard. This would also require a passing bay and this has been allowed for at the top of the driveway and forms part of the reversing allowance for Lot 1.
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	At the top of the driveway will be a mirror showing any coming vehicles from the eastern side and/or bottom of the driveway. ROWs will be noted legally on the title documents. As per the objective for 4 lots the Driveway access will be 3.5m with a 500mm boundary strip between the boundary and driveway handle The driveway length up to the turning angel is approx. 25mts. At this point there is an allowable passing bay. Although the total length is straight and clear 33.73mts Council advice at the Pre-DA Meeting was that this would be satisfactory as there were no impediments or blind spots. Both the north/south part of the driveway and east/west have no vision impediments. The entry into Lot 1 forms part of the passing bay. The area is a width of at least 9.5 mts and goes for at least a distance of 10mts across the back curve of the driveway. Width of clear constructed accessway meets the standard of 3.5mts.
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3. 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 interallotment 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.

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.

All design & construction meets with the council requirements and the relevant Australian Standards.

Design with regards to solar access, orientation, water filtration, 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, it slopes directly to the road drainage and thus joins straight to the storm water easement. Therefore, drainage is not considered an issue for this site.

This is all dealt with in detail in the engineers Stormwater Plan by Technical Projects Consultants dated March 2023.

Noted for the Stormwater Easement & and the Driveway Right of Ways will all form part of the title deed final documents.

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.

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.

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.

The site is noted as Land Slip Risk Area A & B as per the DECP a geo technical report is not required for this standard.

However, as we prepared one for our 2019 submission we have included it as it covers any queries around this for future reference.

The report 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.

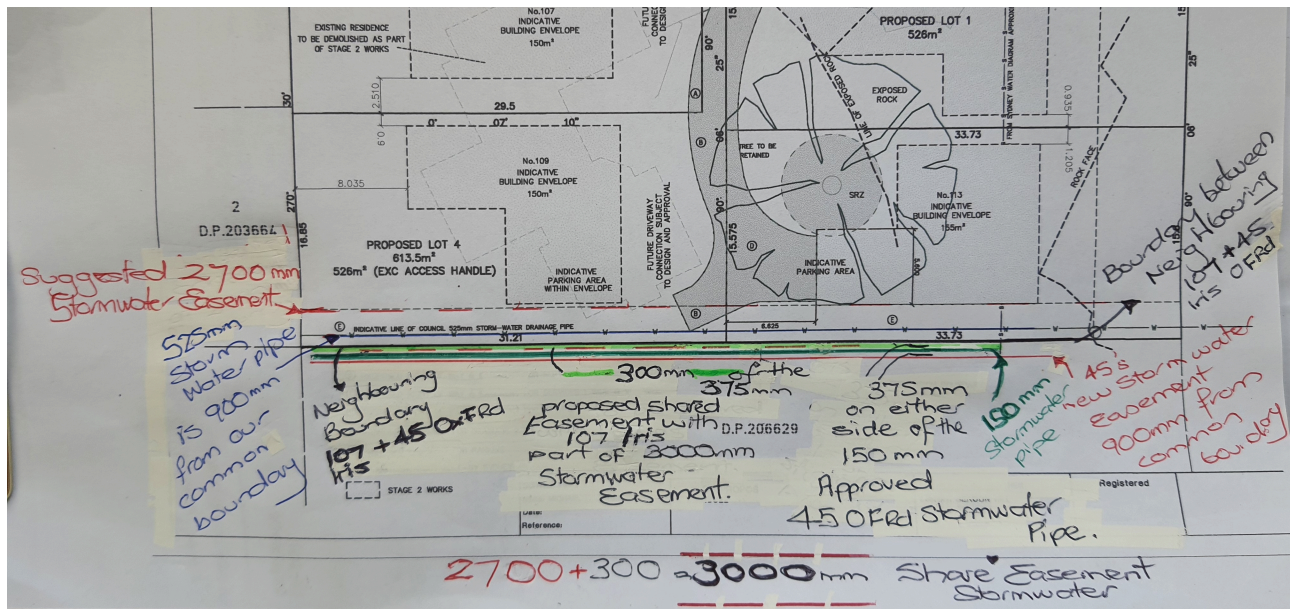
The proposed subdivision recognizes the rock outcrop and this will be utilised in the future proposals as a feature wherever possible. In other areas will be used as a solid base on which to build.

A Bushfire Risk Assessment Report has been prepared by Bushfire Planning Consultants dated 12 October 2022.

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 and will be kept clear of debris.

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 Lodgement Meeting we have ensured there is only one driveway access to the 4 lots. This already meets with all objectives and requirements of the DCP. This reduces the impact of further driveways closer to the roundabout. The Vehicular crossing does not change and therefore will be in accordance with Council’s Vehicle Crossing Policy This also ensures that of 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 is available at the top of the driveway at the southern end of the proposed Lot 1 & Lot 2. Lots 3 & 4 will have their car spaces along their northern boundaries as part of the future proposed dwellings allowing for privacy and adequate space for each block. These are located in the most suitable areas for minimal impact for each of the blocks and to the site in general.
C4 – Stormwater Requirements (sum up 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 this objectives and requirements and is dealt with in the Stormwater Management Plan prepared by Hecard Consulting in October 2023 and has replaced the original one done by TPC in March 2023. It has been resourced and referenced with the Overland Flow report prepared by Pittwater Data Services dated November 2022. The Water Management Plan and additional MUSIC plan prepared by Hecard Consulting in October 2023 complies with Council’s Water Management for Development Policy.

C6. Request to share 300mm of the 3000mm Stormwater Easement with consenting neighbours.



From: **Jiri Albrecht** jiri4848albrecht@gmail.com
 Subject: Fwd: Stormwater Easement sharing
 Date: 31 March 2023 at 8:58 am
 To: Maree Jaloussis Hayes mareehayes33@gmail.com

Dear Council

Marcela and I agree to Maree and Michael Hayes using 300mm of our boundary side to reduce their Stormwater Easement from 3000 to 2700mm.

This will apply for the length of both our lots being 64mts in total.

We consent to this and will have a formal Legal agreement drawn up should Council agree to this in the Hayes' Development Application. We consent to this as long as it does not affect us having to resubmit or withdraw our existing DA. And does not affect existing drain and water pipes.

Regards

Jiri and Marcela Albrecht

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 2mt x 3.5mts of rock and this excavated portion will used around the property and if necessary to form the under bedding of the driveway. Plus some of the existing concrete which will also be used in the driveway construction.

All other council requirements will be complied with.

D1 – Landscaped Open Space and Bushland Setting

Min 40% required (min 2m in width)

Objectives

- To enable planting to maintain and enhance the streetscape.
- To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.
- To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.
- To enhance privacy between buildings.
- To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.
- To provide space for service functions, including clothes drying.
- To facilitate water management, including on-site detention and infiltration of stormwater.

Requirements

1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland 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 Bushland Setting as "Bushland Setting", a minimum of 50% of the site area must remain undisturbed by development and is to be kept as natural bushland or landscaped with locally indigenous species.

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

The rest of the objectives and requirements will be met as part of the building plans submission at a later date but does meet the 40% as per the building envelop that has been submitted.

n/a

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 Pre-lodgement Meeting notes requested and Arboricultural Impact report to be provided to support development regarding the Old English Oak tree as it's a feature of significance.

Sydney Arborist, Antony Osborn has prepared a Arboricultural Impact Assessment report dated 30 January, 2023 on how the tree can be managed and protected throughout the process of preparing the blocks for services, driveways and building.

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

The Oak tree forms part of the open landscape providing the strong connection with nature to the property.

Wherever possible the applicants are keen to add the natural and native landscaping of the site. This is also part of our request for 300mm from the neighbours to have less encroachment on the tree structural root zone.

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.

Rock faces and escarpments on the Iris street frontage will be preserved as part of this Sub Division plan.

It should be noted that part of the escarpment on Lot 2 has been cut previously and when discussed with the Pre-lodgement Manager, Daniel Milliken agreed that this could be tidied as part of any future build (this would be dealt with in the future building plans).

The rock outcrop along the mid section of the site is dealt with as part of the Aboriginal Assessment Due Diligence report prepared by Oliver Brown. However generally feedback prior has been that there are no aboriginal engravings or areas of interests as stated by David Hoare who have sited and worked with the aboriginal heritage office and key contacts within.

An Arboricultural Impact Assessment report has been supplied by Sydney Arborist Antony Osborn dated 30 January 2023 regarding the English Oak tree, as requested by council following our Pre-DA Meeting.

E10 – Landslip Risk

Identified on map as Area A & Area B.

LANDSLIP RISK CLASS			
Landslip Risk Class	Topographic Position	Slope Angle (degrees)	Geology
A	Plateau areas, ridge crests, major spur	< 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

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

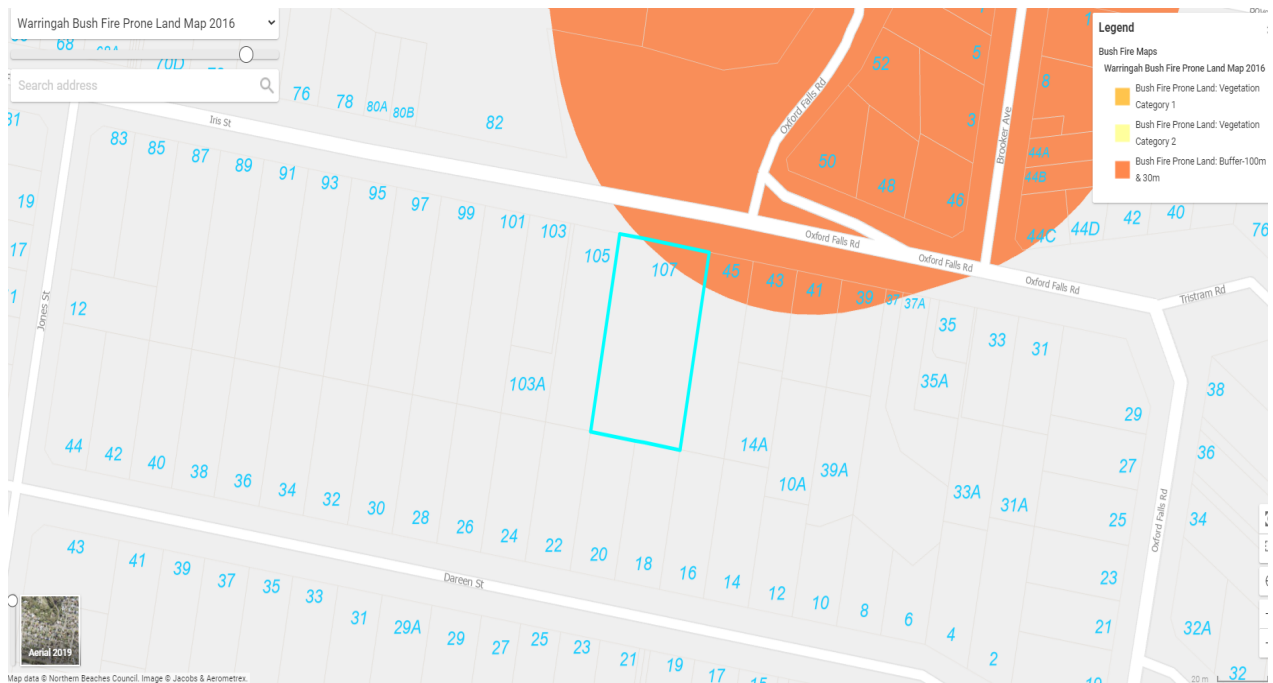
The proposed allotments are capable of accommodating dwelling that minimise the hazard risk.

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

	footslope areas; and beach, foredune and alluvial flats.		deep marine sediments.	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.
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	
Nature of works to excavate >2m requires the submission of a Geotechnical Hazard Assessment.				

10. 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. It has a Buffer of – 100m & 30m.
- A Bush Fire Report has been conducted by Bushfire Planning Consultants dated 12 October 2022.
- This north eastern corner of the site is rated BAL- 12.5
- The remainder of the site is rated BAL- LOW.
- Future dwelling construction will occur in the BAL- LOW zone.

11. Conclusion

This Statement of Environmental Effects has been prepared in regards to the proposed development application at 107 Iris Street, Beacon Hill for a Torrens Title subdivision of one (1) lot into four (4) 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 all these standards with only 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** submission included as an independent file as part of the Development Application.

It is also requested of council that due to the various constraints that have been complied to by the applicants as per Councils' Pre-DA Notes, **that Council consider allowing 300mm** to come from the neighbouring property as a shared easement making up the total of 3000mm in order to have less impact upon the Old English Oak tree and thus house a modest 5.6 size garage.

The rear setbacks are affected for Lots 1 & 2 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 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 and environmental character keeping the beautiful frontage plus keeping consistent with the pattern, size and configuration of existing lots in the locality, which vary from 230m² at the smallest to around the 600m²+ lot size. It would be in the public interest, along with local housing strategy (NBLHS) in meeting the demand for suitable dwelling lots for affordable housing and the also but less so the state requirements for the Northern Beaches local government area.

In conclusion the applicants request the Development consent for Sub Division under the authority of the Northern Beaches Council.

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