

Danka Design Studio

MPIA No.10559

Mob: 0410 555 689

Email.:danka.8@bigpond.com



***STATEMENT OF
ENVIRONMENTAL EFFECTS***

***Proposed additions and alterations to the existing single
dwelling to provide a dual occupancy***

136 Fisher Road North, Cromer NSW 2099

(Warringah Council)

Prepared for:

Mr Mario Caruso
136 Fisher Road North
Cromer, NSW 2099

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1. INTRODUCTION

Danka Designs has been engaged by Mr Mario Caruso to prepare a Statement of Environmental Effects for the support of a proposed additions and alterations to the existing single dwelling to provide a dual occupancy at the 136 Fisher Road North, Cromer NSW 2099 (Warringah Council).

Drawings and Reports complying Development Application:

| Drawing / Report Name | Consultant | Date | Revision |
|------------------------------|-------------------|---------------|-----------------|
| Architectural Dwg | DDS | December 2024 | |
| Survey Plan | Urban Surveying | December 2024 | |
| Traffic Assessment | Traffic Matters | December 2024 | |
| BCA Compliance report | BCA Vision | December 2024 | |

The proposed work involves modification of the existing single storey cladding house to accommodate new dual occupancy. This Statement of Environmental Effects sets out to:

- Describe the land and vegetation on the site to which the subject building relates.
- Describe the characteristics of the surrounding locality and in particular the adjoining and adjacent development.
- Describe the manner in which the proposed building is consistent with Council's Planning Policies and relevant planning controls (LEP & DCP).
- This SEE is accompanied by site photographs (Section 7.0 of this report).

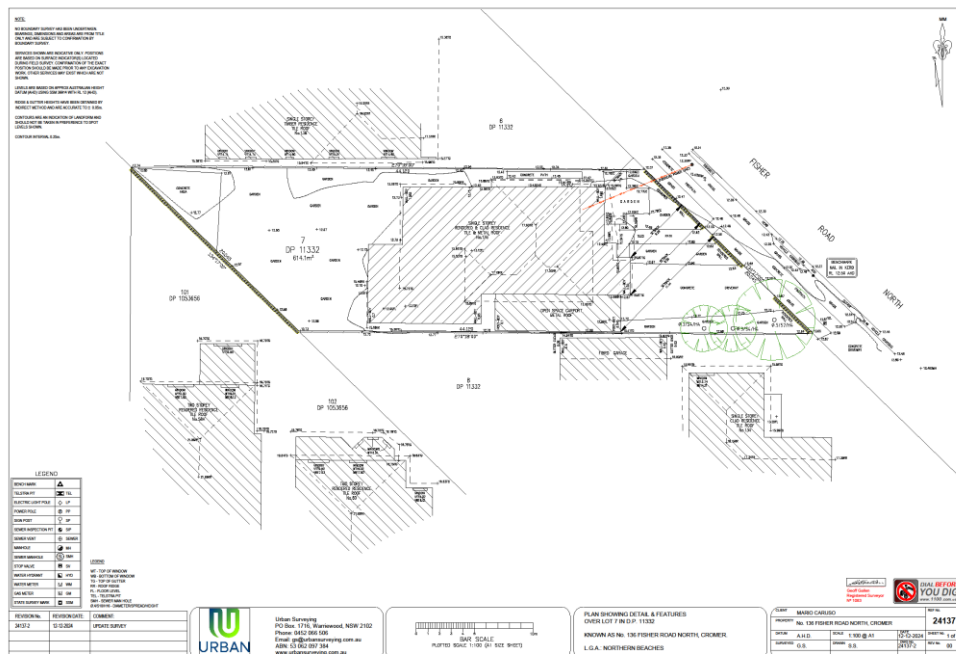
2. THE SITE

The subject site is situated on the South West side of Fisher Road North (Building facing North -East), in an established area of Cromer NSW 2099, a suburb of Sydney. The property is situated in the beginning of the street, with bus stop right in the front of the property. House it's close to the local shops, parks and school amenities. Currently the site accommodates a single storey cladding residential building with concrete driveway (see photos of the site in the end of this report for more close information).

Fisher Road North is two way street.

The subject land is Lot/Section/Plan no: 7/-/DP11332

The subject site is zoned **R2: Low Density Residential** as per Warringah Local Environmental Plan 2011.



Subject site (Survey plan December 2024)

The site is in non rectangular shape .The strongest and most constant winds to the site present themselves in the summer months from East to North East and South during the winter months.

The property is not within a bush fire prone area and it's not heritage building.

There are no threatened species.

3. Surrounding Environment

Most houses are similar in scale with residential use. The surrounding streetscape is varied in scale and character with buildings dating from the early 20th Century to architecture of the present time. Buildings are a mixture of one/two stories as either two stories residential block of units (across the road) or single residential homes. The subject building is close to main amenities such as parks, shopping, schools, major banks and a bus station. The area has formed infrastructure with main roads with electricity and easements. The size of neighbouring lots and street setbacks of dwellings in this vicinity are similar to those of the subject site. (See photos from the site in Section 7 of this report).



Surrounding Environment with Subject site (Google)

4. The Proposal

As detailed in the accompanying architectural plans the proposal includes additions and alterations to the existing single dwelling to provide a dual occupancy within existing building envelope.

The proposed work is done under Government affordable housing scheme .

The R2 zoning allowing the dual occupancy.

There is bus stop right of the front of existing building.

The block size is as per required 600sqm(614sqm).The subject block is 20m wide enough to accommodate desired features of the dual occupancy living.

The each unit will have 3 bedrooms, kitchen, dining, Ldry and living area. One bedroom in each unit will have separate bathroom. The unit 1 will be approximately area of 98.192 sqm and Unit2 area is approximately 89.490sqm.

The units will be separated by fully fire rated common wall as per BCA requirements.

The external wall of the proposed Unit1 on the side to the carport will be fully fire rated as per requirements (see architectural plans for more close information).

Each Unit will have required two car spaces.

Unit2 will use existing awning as tandem carport for two cars.

Unit 1 will use garage transformed from bedroom 1 with extension of the 1.6 m to meet required dimensions to accommodate stackable two cars parking (installations as per specifications).

On the existing concrete driveway will be installed car turntable as per installation specification.

For more close information in regards required traffic and parking requirements please see Traffic assessment report.

The new work is designed that match the style of the existing building.

The existing house footprint in mostly satisfied required front setback of 6.5m. The new work is within required front setback.

The existing house footprint in mostly satisfies the required back setback of 6.0m. The new work is within required back setback.

Proposed side setback will be as required 90cm from the side boundary (side wall on the rear). The proposed carport posts and roof will be 56cm from the boundary as required.

In generally there will be no major building work to accommodate proposed Unit1 and Unit 2 and will be within existing building footprint.

The proposal doesn't affect in anyway adjoining properties and will be significant improvement for the occupants of both proposed Unit1 and Unit2.

The proposal will not overpower the neighbourhood properties by choice of material or colour and will nicely match and improve the existing streetscape.

5. Relevant Statutory Controls

From 1 July 2024, dual occupancies and semi-detached homes are allowed in all R2 low-density residential zones across NSW. It's part of the NSW Government's initiative to increase housing supply and address the housing crisis. These changes won't apply to:

- land with a high risk from natural hazards like bushfire and floods
- land located close to dangerous goods pipelines and hazardous aircraft noise
- land that includes a heritage item
- the Bathurst, Hawkesbury, Blue Mountains and Wollondilly areas due to bushfire, flooding and evacuation risks. Bathurst has no suitable R2 land.

With this changes Government want to achieve following:

- Neighbourhoods that have good access to transport, schools, hospitals, shops, and open space help people live healthy and productive lives.
- Building homes near existing infrastructure and amenities is more cost-effective. It also means quicker construction so people can get into homes faster. More development also offers an opportunity to revitalise urban areas.
- Building homes in well-located areas, close to transport hubs and town centres, can help reduce the cost of living by giving people access to walkable amenities, cost-effective transport options, and a variety of housing options.

Dual Occupancy means two independent dwellings on one allotment which may, in some cases be subdivided. The dwellings may be entirely under one roof, appearing as a single house or may be two separate buildings depending on the lot size. The NSW Government's Transport Oriented Development (TOD) planning reforms include a requirement that new affordable housing be within walking distance of a bus stop:

- **Distance**
New affordable housing must be within walking distance(800m) of a bus stop that has at least one bus per hour:
- **Hours:** The bus must service the stop between 6 AM–9 PM Monday–Friday, and 8 AM–6 PM on Saturday and Sunday

The proposed development is identified as development requiring consent under the provisions of Warringah LEP2011 and DCP2011. The following is an assessment of the proposal against the relevant planning instruments and policy.

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

The development is not required to demonstrate compliance with the design principles embodied in the Building Sustainability Index (BASIX).

5.2 Warringah Council LEP 2011

Zone R2 Low Density Residential

1 Objectives of zone

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

2 Permitted without consent

Home-based child care; Home occupations

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 centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

COMMENT

The proposal satisfied the objectives of WLEP2011 and Zone R2 Low Density Residential as Secondary dwellings are permitted in the zoning.

The proposal is within the subject site and within the required setback from the side boundaries. The proposal doesn't affect in any way the adjoining properties and improves the everyday living of the occupants.

4.3 Height of buildings

(1) The objectives of this clause are as follows—

- (a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,
 - (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,
 - (c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,
 - (d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the *Height of Buildings Map*.
- (2A) If the *Height of Buildings Map* specifies, in relation to any land shown on that map, a Reduced Level for any building on that land, any such building is not to exceed the specified Reduced Level.

COMMENT

The proposal satisfied the objectives of 4.3 WLEP2011 .

The proposal doesn't exceed the maximum height of 8.5m.

4.4 Floor space ratio

- (1) The objectives of this clause are as follows—
 - (a) to limit the intensity of development and associated traffic generation so that they are commensurate with the capacity of existing and planned infrastructure, including transport infrastructure,
 - (b) to provide sufficient floor space to meet anticipated development needs for the foreseeable future,
 - (c) to ensure that buildings, by virtue of their bulk and scale, are consistent with the desired character of the locality,
 - (d) to manage the visual impact of development when viewed from public spaces,
 - (e) to maximise solar access and amenity for public areas.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the *Floor Space Ratio Map*.

COMMENT

As per Floor Space Ratio Map the proposal satisfied the objectives of 4.4 WLEP2011 .

The proposal doesn't exceed the maximum FSR for subject site (see architectural site plan for more close information on the FSR calculations).

5.3 – Warringah Development Control Plan 2011

Design Controls

Part B – Built Form Controls

B1 Wall Heights

Applies to Land

This control applies to all land identified on the Warringah Local Environmental Plan 2011 - Land Zoning Map as:

- RU4 Primary Production Small Lots
- R2 Low Density Residential
- E3 Environmental Management
- E4 Environmental Living

and to which an 8.5m maximum height of building control applies under LEP 2011.

Objectives

- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.
- To ensure development is generally beneath the existing tree canopy level.
- To provide a reasonable sharing of views to and from public and private properties.
- To minimise the impact of development on adjoining or nearby properties.
- To ensure that development responds to site topography and to discourage excavation of the natural landform.
- To provide sufficient scope for innovative roof pitch and variation in roof design.

Requirements

1. Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).

Exceptions

This control may be varied on sites with slopes greater than 20% within the building footprint (measured at the base of the external walls), provided the building:

- does not exceed the 8.5 metre height development standard;
- is designed and located to minimise bulk and scale; and
- has a minimal visual impact when viewed from the downslope sides of the land.

COMMENT

The proposal is in line with the required building height as the proposal doesn't have any changes in building height. The proposal satisfies the objectives of the planning requirement.

B2 Number of Storeys

Applies to Land

This control applies to land shown coloured on the [DCP Map Number of Storeys](#).

Objectives

- To ensure development does not visually dominate its surrounds.
- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.
- To provide equitable sharing of views to and from public and private properties.
- To ensure a reasonable level of amenity is provided and maintained to adjoining and nearby properties.
- To provide sufficient scope for innovative roof pitch and variation in roof design.
- To complement the height of buildings control in the LEP with a number of storeys control.

Requirements

1. Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum number of storeys identified on the DCP Map Number of Storeys.

COMMENT

The proposal satisfies the objectives of the planning requirement. The proposal is a single storey dwelling.

B3 Side Boundary Envelope

Applies to Land

This control applies to land shown coloured on the [DCP Map Side Boundary Envelopes](#).

Objectives

- To ensure that development does not become visually dominant by virtue of its height and bulk.
- To ensure adequate light, solar access and privacy by providing spatial separation between buildings.
- To ensure that development responds to the topography of the site.

Requirements

1. Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of:
 - 4 metres, or
 - 5 metres as identified on the map.
2. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side boundary envelope.

COMMENT

The proposal satisfies the objectives of the planning requirement. The proposal is within building envelope.

B4 Site Coverage

Applies to Land

This control applies to land shown on [DCP Map Site Coverage](#).

Objectives

- To provide opportunities for the provision of landscaping and the enhancement of existing native vegetation.
- To minimise the bulk and scale of development.
- To reduce the stormwater runoff, preventing soil erosion and siltation of the natural drainage network.
- To limit impervious areas and encourage natural drainage into the sub-surface.

Requirements

1. Development on land shown coloured on the DCP Map Site Coverage shall not exceed the maximum site coverage shown on the map. Where shown on the map as:

- 33.3% - the total building footprint(s) must not cover more than 33.3% of the site area, and
- $20\% = 3,500\text{m}^2$ or $30\% < 3,500\text{m}^2$ - the total building footprint(s) must not cover more than 20% of the site area except on allotments having an area of less than $3,500\text{m}^2$ where the total building footprint/s must not cover more than 30% of the site area

COMMENT

The proposal satisfies the objectives of the planning requirement.

B5 Side Boundary Setbacks

Applies to Land

This control applies to land shown coloured on the [DCP Map Side Boundary Setbacks](#), with the exception of land identified as 'Merit Assessment'.

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

1. Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.
2. Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.
3. On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, basement car parking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side setback except as provided for under Exceptions below.

Note

On corner allotments, to measure the side setback and side boundary envelope, the side boundaries are taken to be the boundaries that do not have frontage to a public street.

COMMENT

The proposal satisfies the objectives of the planning requirement. The side rear wall will be 90 cm from existing boundary and carport posts will be 560 mm from boundary. The other side existing setback is approximately 1,58m and its in line with required.

B7 Front Boundary Setbacks

Applies to Land

This control applies to land shown coloured on the [DCP Map Front Boundary Setback](#), with the exception of land identified as 'Merit Assessment'.

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

1. Development is to maintain a minimum setback to road frontages.
2. The [front boundary setback](#) area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, [garbage](#) storage areas and fences.
3. Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.
4. For land zoned E3 and not having frontage to Kamber Road or Kimbriki Road the minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

COMMENT

The proposal satisfies the objectives of the planning requirement. The existing house exceeds in one part required 6.5m front setback and as such have existing rights of use. The proposed work is within front boundary setback. Please have a look Survey plan and Site analysis plan for more closed information.

B9 Rear Boundary Setbacks

Applies to Land

This control applies to land shown coloured on the [DCP Map Rear Boundary Setbacks](#), with the exception of land identified as 'Merit Assessment'.

Objectives

- To ensure opportunities for deep soil landscape areas are maintained.
- To create a sense of openness in rear yards.
- To preserve the amenity of adjacent land, particularly relating to privacy between buildings.
- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.
- To provide opportunities to maintain privacy between dwellings.

Requirements

1. Development is to maintain a minimum setback to rear boundaries.
2. The rear setback area is to be landscaped and free of any above or below ground structures.
3. On land zoned R3 Medium Density where there is a 6m rear boundary setback, above and below ground structures and private open space, including basement carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the rear building setback.
4. The rear building setback for land zoned IN2 Light Industrial at Tepko Road that adjoins land zoned R2 Low Density Residential is not to be used for industrial purposes or vehicle access.
5. The rear building setback for land zoned IN2 Light Industrial in the vicinity of Campbell Parade, Manly Vale is not to be used for industrial purposes or vehicle access.

COMMENT

The proposal satisfies the objectives of the planning requirement. The existing house exceeds in one part required 6.0m back setback and as such have existing rights of use (it's part of existing streetscape). The proposed work is within back boundary setback. Please have a look Survey plan and Site analysis plan for more closed information.

C3 Parking Facilities

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To provide adequate off street carparking.
- To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.
- To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.

Note

The following Australian Standards applied at the time the DCP was adopted:

AS 2890.1:2004: Parking facilities - Off-street car parking

AS 2890.2:2002: Parking Facilities - Off-street commercial vehicle facilities

AS 2890.5:1993: Parking facilities - On-street parking

Requirements

1. The following design principles shall be met:
 - Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site.;
 - Laneways are to be used to provide rear access to carparking areas where possible;
 - Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments;
 - Parking is to be located so that views of the street from front windows are not obscured; and
 - Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the

lesser.

2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account:

- the land use;
- the hours of operation;
- the availability of public transport;
- the availability of alternative car parking; and
- the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles.

3. Carparking, other than for individual dwellings, shall :

- Avoid the use of mechanical car stacking spaces;
- Not be readily apparent from public spaces;
- Provide safe and convenient pedestrian and traffic movement;
- Include adequate provision for manoeuvring and convenient access to individual spaces;
- Enable vehicles to enter and leave the site in a forward direction;
- Incorporate unobstructed access to visitor parking spaces;
- Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places;
- Provide on site detention of stormwater, where appropriate; and
- Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1.

4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.

5. Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.

6. For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided.

7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.

8. For Forest Way Village car parking at ground level is to be provided for individual units.

COMMENT

The proposal satisfies the objectives of the planning requirement. Please see Traffic assessment report for more close information.

C9 Waste Management

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).
- To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste.
- To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents, surrounding neighbours, and pedestrian and vehicle movements.
- To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.
- To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.
- To minimise any adverse environmental impacts associated with the storage and collection of waste.
- To discourage illegal dumping.

Note

The Waste Management Guidelines have been separated into different development types.

Eg: Demolition, Construction, Industrial, Mixed Use, Commercial, etc.

COMMENT

The proposal satisfies these objectives for waste management. The waste management plan is part of the Development Application. There will be allocated area for recycling and demolishing bins within site as per Council regulations (During construction).

Part D Design

D2 Private Open Space

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To ensure that all residential development is provided with functional, well located areas of private open space.
- To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.
- To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.
- To ensure that private open space receives sufficient solar access and privacy.

Requirements

1. Residential development is to include private open space for each dwelling.
2. The minimum area and dimensions of private open space are as follows:

| DWELLING Type | Area and Minimum Dimensions per dwelling |
|---|---|
| Dwelling houses (including dual occupancy) and attached dwellings with 1 or 2 bedrooms | A total of 35m ² with minimum dimensions of 3 metres |
| Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms | A total of 60m² with minimum dimensions of 5 metres |
| Multi dwelling housing (not located at ground level); residential flat buildings and shop top housing | A total of 10m ² with minimum dimensions of 2.5 metres |

3. Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining,

entertainment, recreation and children's play.

4. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.

5. Private open space shall not be located in the primary front building setback.

6. Private open space is to be located to maximise solar access.

COMMENT

The proposal satisfies the objectives of the planning requirement. Each unit has their own private open space total 60sqm as required. Please architectural drawings for more close information.

D6 Access to Sunlight

Applies to Land

This control applies to land to which Warringah LEP 2011 applies.

Objectives

- To ensure that reasonable access to sunlight is maintained.
- To encourage innovative design solutions to improve the urban environment.
- To promote passive solar design and the use of solar energy.

Requirements

1. Development should avoid unreasonable overshadowing any public open space.
2. At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.

Note

Overshadowing by vegetation will not form part of Council's assessment of access to sunlight.

The planning principle established in the Benevolent Society v Waverley Council (2010) NSWLEC 1082 will be used in the assessment of sunlight.

Exceptions

Council may consider a variation to this control in the particular circumstances of a proposal, where an applicant can demonstrate, to the satisfaction of Council that:

- i) the slope or topography of the site or adjoining property makes compliance impractical; and
- ii) other design options have been investigated which would comply but would unreasonably constrain the development of an otherwise compliant building.

COMMENT

The proposal satisfies the objectives of the planning requirement. Please architectural drawings for more close information.

D8 Privacy

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.
- To encourage innovative design solutions to improve the urban environment.
- To provide personal and property security for occupants and visitors.

Requirements

1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.
2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.
3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.
4. The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.
5. Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.

COMMENT

The proposal satisfies the objectives of the planning requirement. Please architectural drawings for more close information.

D9 Building Bulk

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To encourage good design and innovative architecture to improve the urban environment.
- To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.

Requirements

1. Side and rear setbacks are to be progressively increased as wall height increases.
2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.

3. On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular:
 - The amount of fill is not to exceed one metre in depth.
 - Fill is not to spread beyond the footprint of the building.
 - Excavation of the landform is to be minimised.
4. Building height and scale needs to relate to topography and site conditions.
5. Orientate development to address the street.
6. Use colour, materials and surface treatment to reduce building bulk.
7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.
8. Articulate walls to reduce building mass.

COMMENT

The proposal satisfies the objectives of the planning requirement. Please architectural drawings for more close information.

D10 Building Colours and Materials

Applies to Land

This control applies to land to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment.

Requirements

1. In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.
2. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend in to the natural landscape.
3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.
4. The holiday/fisherman shack character of the waterfront of Cottage Point is to be enhanced by the use of building materials which are sympathetic to the small timber and fibro cottages currently in existence on the waterfront. All buildings visible from the water are to utilise materials such as weatherboard, fibre cement, corrugated steel and timber. The use of masonry is discouraged.

COMMENT

The proposal satisfies the objectives of the planning requirement. The proposed work compliment existing building façade. Please architectural drawings for more close information.

5.4 – State Environmental Planning Policies

SEEP55-Remediation of the land

COMMENT

The site is not suspected to be contaminated.

SEEP65-Design Quality of Residential Flat Building

This SEPP applies to all residential flat buildings that have a height of 3 or more storeys and contain 4 or more dwellings. The SEPP seeks to improve design quality for residential flat building.

COMMENT

A SEPP 65 Design is not required for this proposal.

5.5 Section 79C(1) of the *Environmental Planning and assessment Act 1979* considerations

Council as the Consent Authority is required to take into consideration those matters listed under Section 79C(1) of the EP&ACT which are of relevance to the subject Development Application.

Briefly the principal headings under section 79C(1) are:

7.1 The provision of any Environmental planning Instrument (EPI)

The proposed development of land is subject to the provisions of Warringah Local Environmental plan 2011 .It is considered that the provisions of this environmental planning instrument have been satisfactory addressed within this report and that the proposal achieved compliance with its provisions.

7.2 the provisions of any draft LPI

There are no draft environmental planning instruments at the present time.

7.3 any development Control Plan(DCP)

The development has been designed to comply with the requirements of the Warringah Development Control Plans2011.

7.5 any matters prescribed by the regulations

No matters of relevance are raised in regards to the proposed development.

7.7 the likely impacts of the proposed development

It is considered that this application, which attached secondary dwelling within existing building on the subject site, is reasonable and achieves the objectives of the relevant planning controls. It is considered that the final development is compatible with and will compliment the established character of the area.

7.8 Suitability of the Site-Section79C (1) (c)

The subject site is considered to be suitable size and shape to accommodate the proposed balcony. The works is permissible within zone R2 WLEP 2011. The site is an appropriate location for the proposed development as it:

- » Will provide additional necessary additional housing as per government housing initiative.
- » Will improve the general look of the existing building.
- » Will improve the streetscape
- » Is already serviced by existing road infrastructure

7.9 Submissions made in accordance with *The Act* /other regulations

This is matter for Council in the consideration of this proposal.

7.10 The Public Interest

The proposal will not have an unreasonable impact upon the environment or the amenity of adjoining properties and is therefore considered not to be in contrary to the public interest.

The application is in the public interest as:

- » The zone allows for the construction of secondary dwelling..
- » The proposal is consistent with the desired future character of the area

6.0 CONCLUSION

The proposed additions and alterations to the existing single dwelling to provide a dual occupancy on the address 136 Fisher Road North Cromer NSW 2099 has been assessed against the requirements of Section 79C(1) of The Act , Warringah LEP2011 and DCP2011.

As described in this Statement of Environmental Effects, compliance with Council regulations has demonstrated that the proposed works will not have a detrimental impact upon the natural or built environment or the amenity of surrounding properties. The proposal offers a significant improvement in lifestyle to the occupants while imposing no adverse impacts on any neighbouring property. Appropriate suggestions and measures in the proposed design are taken to assure that proposal does not have any negative impact on the existing road network and adjoining uses.

It is our opinion that this application is reasonable and supportable and should be approved by Warringah Council.

Sydney
January 2025

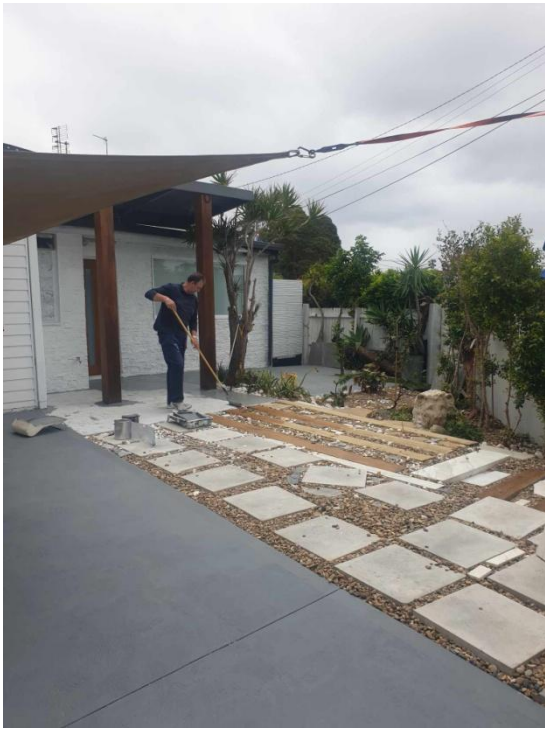
7.0 PHOTOS FROM THE SITE



The existing building 136 Fisher Road north Cromer NSW 2099



Existing streetscape in the front of the subject site



Existing front of the house



Existing sidewalk



Existing Backyard



Existing backyard



Existing kitchen



Existing living

