

STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED ALTERATIONS AND ADDITIONS,
TO AN EXISTING RESIDENCE
AT**

34 Pavilion Street, Queensclif 2099

LOT 2 DP 622394

Prepared By *JJ Drafting Aust Pty Ltd*

May 2022

1) Introduction

This Statement of Environmental Effects accompanies documents prepared by JJ Drafting, job number 982/22, drawing numbers DA.01 to DA.15 dated May/22 to detail proposed alterations and additions to an existing residence at 34 Pavilion Street, Queensclif.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment, it is concluded that the development of the site in the manner proposed is acceptable and is worthy of support by Council.

In preparation of this document, consideration has been given to the following:

- # *The Environmental Planning and Assessment Act 1979 as amended*
- # *The Environmental Planning and Assessment regulation 2000*
- # *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- # *Warringah Local Environmental Plan 2011*
- # *Warringah Development Control Plan 2011*
- # *Warringah development Control Plan Map 2011*



2) Site Characteristics and Description

The subject allotment is described as 34 Pavilion Street, Queenscliff with a site area of 159.40sqm.

- The property is zoned R2 Low Density Residential zoning.
- It is located in 'Area B' identified in the Warringah LEP Landslip Risk Area Map - geo tech assessment attached
- NOT listed as a heritage item or being in a heritage conservation area by Warringah LEP.
- NOT identified as being at risk by Council's Flood Hazard Map.
- NOT in a bushfire prone area as per Council's Bushfire Prone Land Map.
- NOT identified as affected on the Warringah LEP Acid Sulphate Soils Map.
- This property addresses 34 Pavilion St. to the North.
- The site is currently developed with a 2-storey rendered and clad dwelling house with a metal roof.
- Vegetation consists of mixed shrubs and plants to the front and back of the site.
- Vehicle access is provided via an existing vehicular crossover off Pavilion Street and to a single attached carport within the house.
- The site falls from the Northern boundary down towards the Southern rear boundary approximately 3m.
- The area consists of mixed residential dwellings and units which are one to 3 storeys in height

3) The Proposal

Description

As detailed within the accompanying plans, the proposal seeks consent for alterations and additions to an existing dwelling. It provides compliance with the Warringah Development Control Plan 2011 and Warringah Local Environment Plan 2011.

The proposed additions and alterations are as follows:

Sub Floor Level

- It is proposed to extend the Sub floor level to the rear to form a workshop and a bathroom. The proposal will sit directly below the new ground floor addition above.
- Floor level to the Existing storage area to be lowered.

Ground Floor Level

- Existing laundry to be reduced
- Portion of existing bedroom 1 to form a bathroom
- A new hallway will be created between the new reduced laundry and new bathroom.
- Existing bathroom to form a walk in robe
- Existing bedroom to be extended out to the rear by 1.83m with a new added balcony with a width of 1.57m
- Existing floor level to portion of the existing bathroom and laundry area to be lowered by 0.19m to match the existing bedroom floor level

First Floor Level

- Existing front balcony off the existing Living area to be extended.
- Existing void to the side of the existing stair to be enclosed.
- New skylight to be provided above the existing stairs.
- Existing front deck to be extended and widened to follow the front boundary angle.
Existing roof to be removed and replaced with a new roof to cover the extent of the new deck addition
- It is proposed that the existing small rear covered deck off the kitchen and dining area to be extended to the rear and widened to the west to allow for a larger outdoor recreational covered area, which can be better utilized and is more functional. A new flat roof is also proposed to cover the whole balcony, portion will be an adjustable vergola and the other portion will be a Colorbond roof.

The proposed rear deck addition is to provide an area of private open space area which is directly connected from the main indoor living area. Given the small size of the allotment and the location of the main living areas which are located on the top floor, there is no allowance for an outdoor covered living area.

A privacy screen to the west side of the top floor deck is proposed to cover half of the width.

A privacy screen to the east side of the top floor deck has been provided to the whole width.

As the existing residence is unable to meet the present and future space requirements of its occupants, these additions will provide the owner with a new workshop, spacious main bedroom, and an a covered outdoor living area from the main indoor living areas.

There will be no effect on neighboring properties due to the proposed additions.

Considerations has been given to bulk and form.



STREETSCAPE VIEW SUBJECT SITE TO THE RIGHT SIDE



EXAMPLE OF OTHER DWELLING IN THE STREETScape (NO.22) LARGE TERRACE DECK ABOVE GARAGES WHICH ABUTS THE FRONT BOUNDARY



STRETScape VIEW LOOKING AT NO. 32 PAVILLION ST DWELLING. FRONT BUILDING SETBACK VARIES BETWEEN 3M – 5M

4) Zoning & Development Controls

4.1 Warringah Local Environmental Plan 2011

The site is zoned R2 Low Density Residential under the provisions of the WLEP 2011. The proposed alterations and additions to the existing dwelling are permissible with the consent of council.

4.2 Height of Building (LEP 4.3)

The control for this parcel of land is a maximum of 8.5m.

Maximum building height of the proposed addition will be lower than 8.5m. The proposed development has a maximum height of 7.10m which **complies** with this control.

Refer to DA.05 – DA.07 Elevations.

4.3 General Principles of Warringah Development Control Plan 2011

The proposed development responds to the characteristics of the site and the qualities of the surrounding neighborhood in a sympathetic and positive manner.

4.4) State Environmental Planning Policy (Building Sustainable Index: BASIX) 2004

The proposal will require a BASIX certificate with this application.

BUILT FORM CONTROLS

Wall Heights (DCP B1)

The max. wall height is 7.2m

There will be no addition to the existing wall heights to the existing top floor level.

The proposed new top floor flat roof above the deck addition will slightly contravene the wall height. It is requested that this slight non compliance be supported as it will not affect adjoining properties in view loss, privacy loss or view sharing.

The proposed new roof allows this deck area to be better utilized all year around given that this is the only means of an outdoor covered recreational area that is located directly from the main indoor living space.

Side Boundary Envelope (DCP B3)

The side building envelope control is a height plane of 5 metres along the side boundary and with a projection inwards of 45 degrees.

Majority of the proposed addition **complies** with the side building envelope control.

To the front there will be no increase in wall height

To the rear there will be no addition to the existing wall height. Due to the topography of the site, which falls towards the rear of the property, the current wall height exceeds the max wall height of 7.2m.

The proposed new rear roof and adjustable vergola and privacy screen will exceed the max. wall height, given that the proposal will be lower than the current existing wall height of the dwelling, it is requested that this noncompliance be supported as it will not affect adjoining dwelling in view loss, privacy loss or view sharing loss.

Side Boundary Setbacks (DCP B5)

Warringah DCP control is a min. of 900mm.

The proposal provides compliance with Warringah Development Control Plan 2011 side setbacks of min.900mm.

LOWER GROUND FLOOR LEVEL

New external wall to east side boundary has a setback of 1.95m- -----COMPLIES

New external wall to west side boundary has a setback of 2.4m -----COMPLIES

GROUND FLOOR LEVEL

New external wall to east side boundary has a setback of 1.075m -----COMPLIES

New external wall to west side boundary varies between - 1.1m – 1.118 ----COMPLIES

FIRST FLOOR LEVEL

Existing deck

west side setback – 2.0m

East side setback - 1.075m

Deck addition to existing deck

West side setback to match existing – 2.0m -----COMPLIES

East side setback -----1.118m ----- COMPLIES

Front Boundary Setbacks (DCP B7)

Warringah DCP control is a min. of 6.5m or an average of the adjoining properties.

Front setback to existing building varies between - 3.980m – 5.1m.

Front setback to existing balcony varies between – 3.2m – 4.1m

The new front setback to deck extension -----3.0m

It is requested that this non compliance be supported as it follows established front setback of adjoining properties. Majority of all properties along this stretch of Pavilion street have a front setback that is closer than 6.5m.

The proposed deck and roof extension to the existing deck and roof will improve the front façade and allow for better building articulation to the streetscape. Given that this is an open structure the bulk and size has been reduced and will not dominate the streetscape.



STREET VIEW – PHOTOS ABOVE AND BELOW



REAR BOUNDARY SETBACK – (DCP B9)

The required rear setback control is 6.0m



Due to site constraints it is difficult to adhere to the rear setback for this site.

Adjoining and surrounding properties have a reduced rear setback. As seen in above map and extraction from NB Council.

Adjoining property no. 32 has varied rear setback between 1.786m, 2.653m – 4.4m

The proposed rear addition will have a rear setback which varies between – 2.373m – 3.577m
The proposed works are further than the adjoining dwelling.

It is requested that this slight non compliance be supported as it will not affect adjoining properties in view loss, privacy loss or view sharing.

The proposed new deck addition to the existing small deck and roof addition will be better utilized all year around, given that this is the only means of an outdoor covered recreational area that is located directly from the main indoor living space this addition will much needed to allow for an indoor/outdoor area to a small dwelling .



VIEW LOOKING SE TOWARDS NO.32



VIEW LOOKING WEST



VIEW LOOKING SE TOWARDS ADJOINING PROPERTY NO.32,
DWELLING HAS A 1.786M REAR BOUNDARY SETBACK

DESIGN

Landscaped Open Space (DCP D1)

The minimum landscaped open space required is 40% of the site area.

(areas more than 2.0m in any direction)

Site area of this allotment is	159.40m ²	40% control	MIN 63.76m ²
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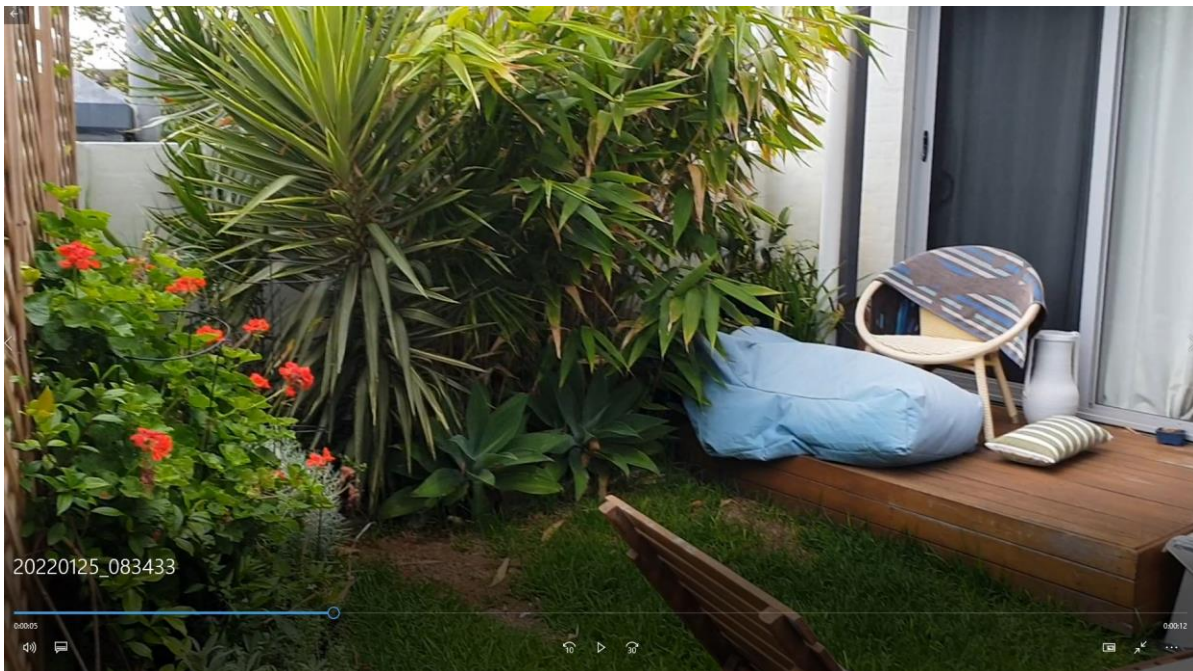
Existing landscaped open space area	45.60 m ²	28.60%
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New landscaped open space area	45.60 m ²	28.60%
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* NO CHANGES TO THE LANDSCAPED OPEN SPACE AREA

Refer to DA.09 Landscaped Area Calculation Plan.

EXISTING LANDSCAPING AT THE FRONT



EXISTING LANDSCAPING AT THE BACK



Private Open Space (DCP D2)

Requirement is a total of 35sqm with a minimum dimension of 3m.

Requirements

- *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.*

Due to the design of the 2 existing 2 storey dwelling with all living areas located on the top floor and only 2 very small balconies off each end of the main living areas. The current private open space area does not comply. The total area of the 2 small decks is 10.56sqm and less than 3.0m in any direction.

The proposal is to increase the rear deck to 3.5m x 5.2m = 18.2sqm and increase the front balcony slightly so that the space is more usable even though it will have dimensions less than 3m (5.55sqm)

EXISTING PRIVATE OPEN - 10.56 sqm

PROPOSED PRIVATE OPEN SPACE AREA – 23.75sqm

The proposed new extension to the existing decks will now allow the areas to be better utilized and more functional

Privacy screens have been provided to the sides of the deck additions to allow privacy between neighbours and overlooking.
from their main indoor area.

Access to Sunlight (DCP D6)

No loss of daylight to main living areas in adjacent dwellings will be experienced as a consequence of this proposal. Adjoining properties will receive a minimum of 3hours of solar access. **Complies.**

Views (DCP D7)

Neighbours views will not be affected by the proposed additions. View sharing has not been affected.

Adjoining properties to the either of the subject site will not be affected by the proposal.

Privacy (DCP D8)

There will be no loss of privacy, due to the proposed additions.

SITING FACTORS

Traffic, Access and safety - (DCP C2)

There will be no changes to the existing access to the site

Parking Facilities – (DCP C3)

There will be no changes to the existing parking on the site .

Stormwater – (DCP C4)

To be provided in accordance with councils stormwater drainage design guidelines.

5) Matters for Consideration Under Section 79c of The Environmental Planning and Assessment Act, 1979

5.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Development Control Plan 2011 and the relevant supporting Council Local plan. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

5.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

It is not considered that there are any draft environmental planning instruments applying to the site.

5.3 Any development control plan

The development has been designed to comply with the requirements of the locality and the general principles of the Warringah Development Control 2011.

It is considered that the proposal respects the aims and objectives of the DCP, however it is noted that the Environmental Planning and Assessments Amendment Act 2012 No. 93 (amendment Act) which received assent on 21 November 2012 commenced on 1st March 2013.

Key amongst the amendments are requirement to interpret DCP's flexibly and to allow reasonable alternative solutions to achieve the objectives of the DCP standards.

The new section 74BA provides that the principal purpose of the DCP's is to provide guidance on:

- * giving effect to the aims of any applicable environmental planning instrument
- * facilitating permissible development
- * achieving the objectives of the relevant land zones

The key amendment is the insertion of section 79C(3A) which:

- * prevents the consent authority requiring more onerous standards than a DCP provides.
- * Requires the consent authority to be flexible and allow reasonable alternative solutions in applying DCP provisions with which a development application does not comply.
- * limits the consent authority's consideration of the DCP to the development application (preventing

consideration of previous or future applications of the DCP).

We request that council applies considered flexibility where the application seeks variations to the numerical development controls in the DCP as justified in this report. In particular we consider that the variation to the front and rear setback to the proposed balconies is a reasonable solution to compliance as the proposal effectively responds to the site constraints. Other properties have a very reduced rear and front setback.

It complies with the average setbacks in the streetscape and that of adjoining dwellings

It is considered that the proposed design respects the desired character objectives of the WDCP 2011 and WLEP 2011 in that it reinforces the existing and new residential character of the area and is compatible with the existing uses in the vicinity.

5.4 Any matter prescribed by the regulations that apply to the land to which the development relates

No matters of relevance area raised regarding the proposed development.

5.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for alterations and additions to an existing dwelling will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is well designed having regard to the relevant provisions of the Warringah Development Control Plan 2011

5.6 The suitability of the site for the development

The subject land is in the low density residential R2 and the proposed development is permissible as category 1 development. The site is considered suitable for the proposed development. The proposal will provide for alterations and additions to an existing dwelling without having a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

5.7 Submissions made in accordance with this Act or the regulations

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

5.8 The public interest

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

6) Conclusion

The proposal which provides for alterations and additions to an existing residence will not have any detrimental impact on the adjoining properties or the locality. The proposal is in keeping with Council's aims and objectives for this locality. There will be no effect on local fauna and flora.

In scale, form and finishes, the proposal will have a positive effect on the lifestyle of its inhabitants and the visual amenity of its neighbours.

As the proposal will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

EXISTING SITE PHOTOS – VIEW FROM STREET LOOKING WEST



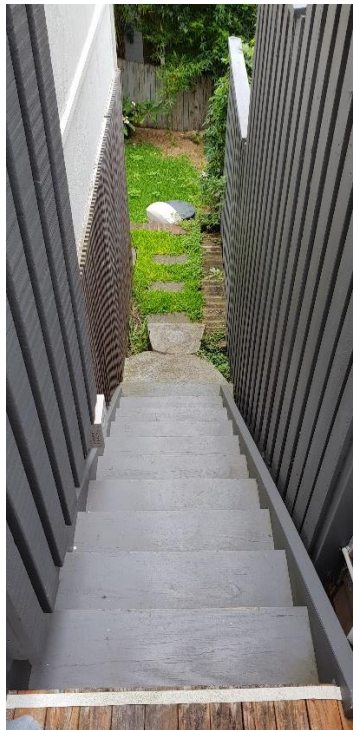
VIEW LOOKING WEST FROM THE REAR BALCONY



VIEW LOOKING TOWARDS MANLY BEACH FROM THE REAR BALCONY



WEST SIDE ACCES STAIRS TO BACKYARD



STREET VIEW LOOKING NORTH WEST – SUBJECT PROPERTY ON THE LEFT SIDE



STREET VIEW LOOKING – RIGHT SIDE NEIGHBOUR'S PROPERTY NO.36



SCHEDULE OF EXTERIOR FINISHES

34 PAVILION STREET - QUEENSCLIFF

WALLS

LOWER GROUND FLOOR: External walls: selected wall finish - Colour range medium to dark

GROUND FLOOR: External walls: selected cladding - Colour range light to medium

UPPER FLOOR: External walls: selected cladding - Colour range light to medium

**WINDOW &
DOOR FRAMES** Black aluminum frame to match existing.