



**Lot 2 - 4 CAMBRIDGE AVENUE
NARAWEENA**

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR
DEMOLITION OF THE EXSITING DWELLING AND
A NEW DWELLING HOUSE**

Report prepared for
Sally Gardner Design and Draft
June 2020

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1. Introduction

1.1 This is a statement of environmental effects for a deferred commencement consent for a new dwelling house on lot 2 of 4 Cambridge Avenue Narraweena.

The report describes how the application addresses and satisfies the objectives and standards of the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2000 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Survey prepared by CMS Surveyors Pty Ltd
- ◆ Site visit
- ◆ DA Plans and BASIX Certificate prepared by Sally Gardner Design and Draft
- ◆ Cost Summary Report
- ◆ Waste Management Plan
- ◆ Geotec Report prepared by White Geotechnical Group
- ◆ View Loss Assessment prepared by Watermark Planning
- ◆ Diagrammatic Views prepared by Sally Gardner Design and Draft
- ◆ Approved DA2018/0130 (This DA is approved, but works have not commenced)

1.3 The proposed development is compliant with the objectives of all Council controls, considerate of neighbouring residents and streetscape and results in improved amenity for the residents of the site. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1 The subject site is located on the north eastern side of the Cambridge Avenue cul-de-sac head in Narraweena and is legally described as Lot 1 DP 1230126.
- 2.2 It is an irregular shape, with frontage to Cambridge Ave and northern side boundary of 73.83 metres, southern side boundary of 52.52 metres and rear boundary of 28.805 metres. The lot has an area of 1,411.1m² and slopes from west to east (from the front down to the rear).
- 2.3 The 1-into-2 lot subdivision of the site was approved by DA2018/0130 and this application relates to Lot 2. Approved lot 2 is an irregular shape with a front boundary of 5.13 metres to Cambridge Ave and boundaries of 19.53, 25.17, 3.37 and 12.615 metres (north), 9.165 metres (east) and 52.52 metres (south). Lot 2 has an area of 711.4m².
- 2.4 The site is currently occupied by a one and two storey brick and clad residence with a tile roof. Vehicular access is from Cambridge Avenue with the dwelling set within a terraced garden which contains a rock outcrop in the northern corner.
- 2.5 The site is surrounded by detached residential dwellings in all directions and is located in proximity to Narraweena Public School to the south, and Dee Why Beach to the east.



Figure 1. The site and its immediate surrounds

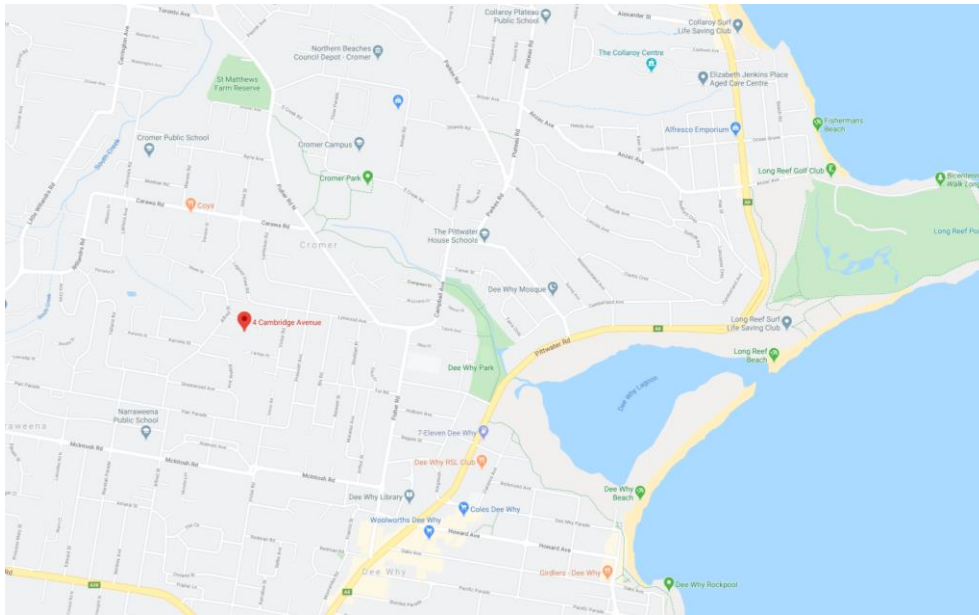


Figure 2. The site within the locality

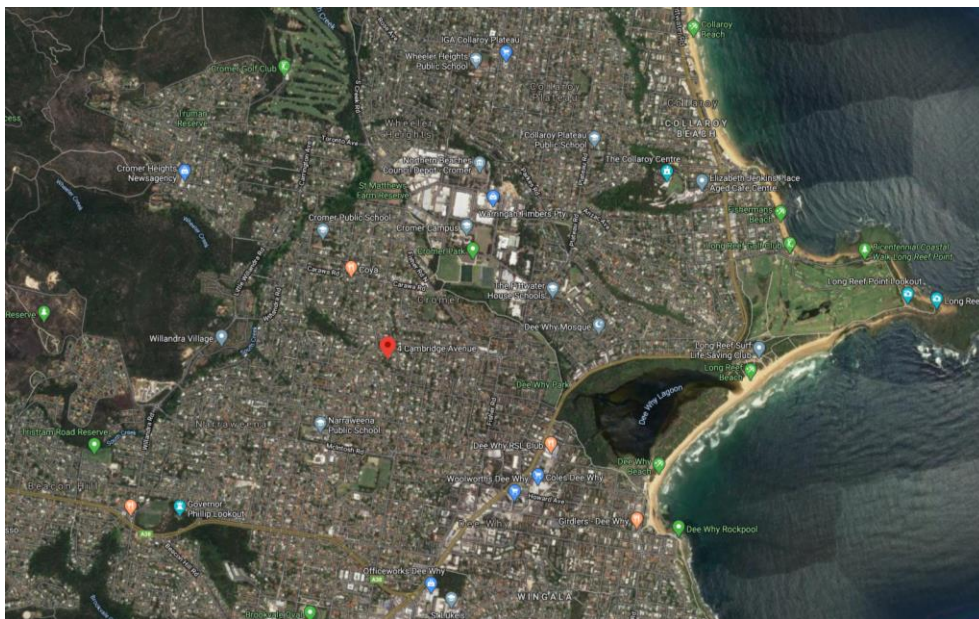


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4: The existing dwelling, view from Cambridge Avenue looking north east.



Figure 5: The existing dwelling, looking north east



Figure 6. Rear yard, looking east



Figure 7. Rear yard, looking east.

4. Background

A prelodgement meeting was held with Council on 7/04/2020 (PLM2020/0065) in relation to an earlier proposal to modify DA2018/0130, to delete condition No.38 – Positive Covenant – Building Envelope. Following receipt of Council's advice, modification of DA 2018/0130 is no longer proposed.

The development consent for DA2018/0130 remains valid and will result in the demolition of the existing dwelling and a two lot subdivision.

This application proposes the construction of a new dwelling house on approved Lot 2. A separate DA will be submitted for the demolition of the existing dwelling and a new dwelling on approved Lot 1. A deferred commencement is proposed as the subdivision is not yet registered with the Land Title Office.

Both dwellings propose an alternative building envelope and a ridge height in excess of RL 69.070 specified in the restriction to user. Council has the authority to approve the proposed alternative, as noted in the pre-DA minutes *Council could retain the discretion to approve such an application, despite any restriction to user (or other instrument) on the land, if it were convinced the impacts of the development were acceptable.*

This report will demonstrate to Council that a maximum proposed RL of 70.830 on Lot 1 and RL of 70.99 on Lot 2, allows the objectives of the restriction to be met, despite the proposed variation to the restriction to user, and that the impacts of the proposal are acceptable.

Condition No.38 of DA 2018/0130 was applied for the purpose of ensuring the built form is consistent with the pattern and scale of surrounding development and to respond to the site. In particular, the footprints and envelopes were applied to ensure the water views from No. 3 Cambridge Avenue could be maintained.

A view loss assessment provided with this application demonstrates that the proposal is consistent with the principles of view sharing, as it will allow all properties to enjoy equitable access to the water views. It is considered unreasonable that the subject site should forego any opportunity for water views, while an adjoining single dwelling house maintains full, uninterrupted water views from multiple locations (a dining room, living room and a deck).

In addition, the proposed development easily complies with the maximum permitted building height control for the site and is of a consistent scale and form to surrounding properties.

Furthermore, it should be noted that a much larger second storey addition can be constructed on the existing lot by way of a Complying Development Certificate. The diagrammatic views provided with this application demonstrates that a second storey

addition CDC development would have a greater negative impact on the views from No. 3 Cambridge Avenue, than the proposed modest dwellings.

It is considered the proposed development, presented in this application, achieves a better planning outcome for all residents. It allows for fair and equitable access to water views from the location and allows Council to maintain some input and control over the final built form.

5. Proposed Development

The proposed development is for the demolition of the existing dwelling and construction of a new dwelling house on Lot 2. A deferred commencement is sought, subject to registration of the approved 1-into-2 lot subdivision of the subject site (DA2018/0130).

The development will result in a modern one and two storey, 5 bedroom dwelling on the site. The proposal remains consistent with Council controls and ensures privacy, solar access and views are equitably shared between neighbours and the subject site.

The proposed development will be made up as follows:

Ground Floor

- Guest bedroom with ensuite,
- Double garage,
- Entry foyer,
- Bedrooms 3 and 4,
- Bathroom,
- Staircase to access the upper floor,
- Linen and store cupboards,
- Open plan kitchen, dining and family room,
- Pantry,
- Laundry,
- Deck.

Upper Floor

- Master bedroom with dressing room and ensuite,
- Bedroom 2,
- Powder room,
- Retreat,
- Linen cupboard,
- Staircase to access the upper floor

6. Statutory Framework

6.1 State Environmental Planning Policies

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

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. SEPP BASIX applies to the proposal and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The proposed development is considered consistent with the SEPP as the building footprint is located to minimise impacts upon the existing trees. The development proposes the removal of one tree.

6.2 Warringah Local Environment Plan 2011

Zoning

The site is zoned R2 pursuant to the provisions of the Warringah Local Environment Plan 2011. The proposed development is for a dwelling house and dwelling houses are permitted with consent in the R2 Low Density Residential Zone.

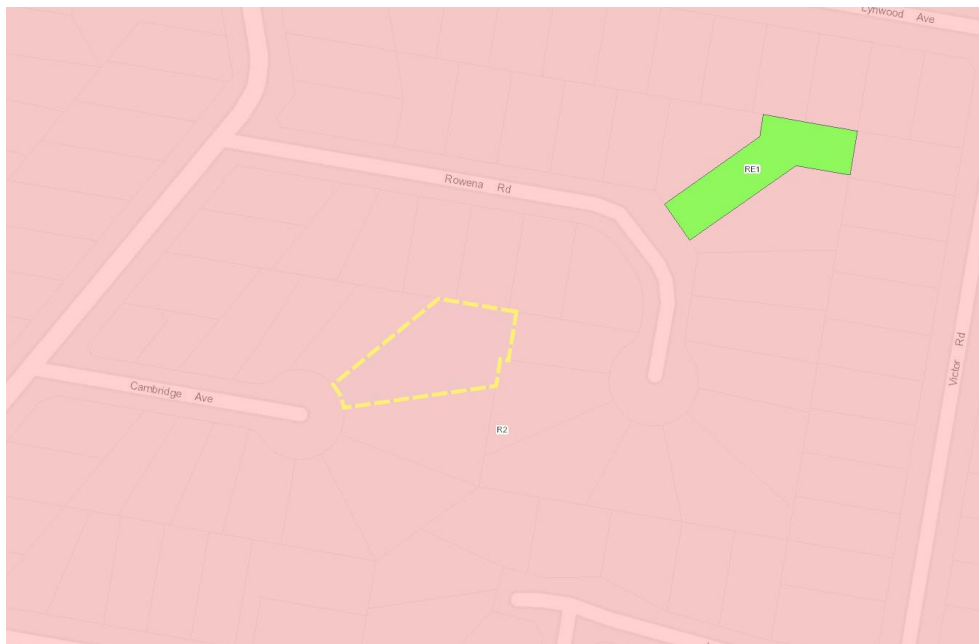


Figure 8. Extract from Warringah LEP zoning map

Demolition

The demolition of the existing dwelling is approved as a part of the subdivision application.

Minimum Subdivision Lot Size

The subject site is mapped with a minimum subdivision lot size of 600m². The 1-into-2 lot subdivision of the site was approved by DA2018/0130 and no further subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The development proposes a compliant maximum building height of 7.523 metres as illustrated on the attached section plans.

Heritage Conservation

The site is not a heritage item, located within a heritage conservation area or located near any heritage items which will be impacted by the proposed development.

Acid Sulfate Soils

The site is not located in an area nominated as Acid Sulfate soils.

Earthworks

Minor excavation and earthworks are proposed for footings, with the dwelling designed to minimise earthworks and maintain the natural ground level. Drainage patterns will be unaffected by the works.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area B – Flanking Slopes 5 to 25. As such the consent authority must be satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*
- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- (c) the development will not impact on or affect the existing subsurface flow conditions.*

The attached geotechnical preliminary assessment provides the following recommendation which can be conditioned to any consent:

As the footprint of the proposed house falls over the undercut joint block that was observed (Photo 1), we recommend no footings for the house be supported over the undercut portion of the rock face.



Figure 9. 'Photo 1' - Extract from Geotechnical Report

6.3 Warringah Development Control Plan 2011

The relevant sections of the Warringah DCP 2011 are addressed below.

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

Part B General Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted. The development proposes a compliant maximum wall height of 7.06 metres.

Side Building Envelope

The site requires a side boundary envelope of 4m/45°. The development proposes a very minor breach of the side boundary envelope on the east and west elevations.

A variation is considered appropriate, in this case, as the building setbacks in this location exceed the minimum 0.9m required. The building incorporates an articulated design, with a reduced roof height at this point.

The proposed variation is very minor and is largely the result of the slope of the lot. The breach comprises predominantly of the eave and will have no impacts on neighbours due to building siting and distance from neighbouring dwellings. The development remains consistent with the objectives of this clause, despite the non-compliance.

Side Boundary Setbacks

Side setbacks of 900mm are permitted on the subject site.

The proposed side boundary setbacks are compliant at a minimum 1.727 metres (south) and 1.085 metres (north).

Front Setback

A front setback of 6.5 metres is required on the site.

The development proposes a front setback of 17 metres, easily compliant with the minimum requirement.

Rear Setback

A rear building setback of 6 metres is required on the site.

The development proposes a compliant rear setback to the dwelling of 6 metres. The rear deck and eave encroach 609 mm into the rear setback, which is considered acceptable, in this case, as the very minor variation allows the dwelling to be provided with useable outdoor deck space on this steep site and for the eaves to be consistent with passive solar design principles.

Part C Siting Factors

Traffic Access and safety

The site has frontage to, and vehicular access from Cambridge Avenue.

A driveway and double lock up garage are proposed as illustrated in the attached plans.

Parking

A double lock up garage is proposed, providing onsite carparking for 2 vehicles.

Stormwater

The proposed alterations and additions will be connected to the stormwater system approved as a part of subdivision DA2018/0130.

Excavation and Landfill

Minor excavation and earthworks are also proposed for footings of the dwelling.

The attached geotechnical report demonstrates the geological stability of the proposed work, subject to the incorporation of the recommendations detailed above.

Demolition and Construction

The demolition of the existing dwelling is proposed under the DA for Lot 1, to make way for the new dwellings.

All demolition and construction works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

Waste Management

Appropriate waste management will be undertaken during the demolition and construction process. All demolished materials will be recycled where possible which is detailed in the accompanying Waste Management Plan.

Appropriate waste storage areas are available to the new dwelling, with waste to be collected by Councils regular service.

Part D Design

Landscaping and Open space and bush land setting

The DCP requires 40% landscaping on the site which is equivalent to 284.56m² for the site area of 711.4m².

The development proposes a compliant landscaped area of 61.22% or 45.52m².

Private open space

The DCP requires a minimum 60m² private open space (with minimum dimensions of 5 metres).

Private open space, is provided in the side and rear yards and on the rear deck, as required by the DCP.

Noise

The development is appropriate and will not result in noise levels inappropriate to a residential area. The site is not located in close proximity to a noise generating activity.

Access to sunlight

At least 50% of the private open space of the subject site and the adjoining dwellings are required to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 by the DCP.

The following observations are made of the shadow diagrams included with this application:

9am – The development will result in shadowing of the side yard of the subject site and the ground floor and rear yard of No. 5 Cambridge Ave at 9am.

12pm – The development will result in shadowing to the side yard of the subject site and approx. $\frac{3}{4}$ of the rear yard of No. 5 Cambridge Ave. and a small portion of the rear yard and dwelling at 15 Rowena Ave.

3pm – The development will result in shadowing to the side and rear yard of the subject site approx. $\frac{3}{4}$ of the rear yard and the dwelling of No. 5 Cambridge Ave. the rear yard and dwelling at 15 Rowena Ave and a small portion of the rear yard of 13 Rowena Ave.

It is concluded that the private open space of the adjoining properties and the subject site can achieve compliant solar access with direct sunlight available to No 5 Cambridge Avenue outdoor space at both 12pm and 3pm.

Views

The subject site and surrounding properties enjoy water views to Dee Why Lagoon and Dee Why Beach to the east. A site inspection has been undertaken and a view loss assessment is provided as Appendix 1.

The assessment concludes that the proposed development will have a negligible and moderate impact on views from the dining / living room and rear deck of No. 3 Cambridge Avenue. The impact is considered reasonable as a large viewing corridor is maintained for No.3 to retain water views and the development proposed by this application, will have a lesser impact on views than an alternative second story addition CDC development option.

Privacy

Privacy will be retained for neighbours with ample setbacks and no direct overlooking into any key living areas.

The ground floor of the proposed dwelling is visually separated from the neighbouring dwelling by the side boundary fencing. A number of privacy measures have been incorporated into the design offset windows, high sill heights and privacy screening.

Building Bulk

The proposed dwelling incorporates articulation and balconies to alleviate bulk. The development is consistent with the existing built form, streetscape and surrounding dwellings, with the overall impact being a modern, aesthetically pleasing and complimentary addition to Cambridge Avenue.

Building Colours and Materials

The proposed building materials include brickwork to the subfloor, Linea cladding in 'Surfmist' or similar and metal roofing in 'Shale Grey' or similar. Powder coated aluminium windows and doors and a panel lift garage door are proposed.

All materials and finishes are complementary to the coastal surrounds and consistent with a modern finish, with a full schedule provided in the DA Plans.

Roofs

The proposed roof design has a compliant pitch and height to maximise the retention of views. Eaves are incorporated for shading and materials will be non-reflective.

Glare & Reflection

Materials have been chosen to ensure no glare or reflection issues.

Site Facilities

The existing dwelling has appropriate waste, recycling areas and drying facilities.

Safety and Security

An ability to view the street frontage is retained allowing for casual surveillance which is to the benefit of the safety and security.

Conservation of Energy and Water

The design has achieved a BASIX Certificate which accompanies the application.

Part E Design

Preservation of Trees or Bushland Vegetation

One tree is proposed for removal as a part of the development, with the majority of trees to be retained.

Retaining unique Environmental Factors

The development will have no impact on any unique environmental factors in the area.

Wildlife Corridors

There will be no impact on any valued wildlife as a result of the proposed dwelling.

Landslip Risk

A geotechnical report has been prepared in support of the application, subject to the adoption of the reports recommendations.

7. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development.

The proposal achieves the aims of the Warringah LEP and DCP and the development is permissible in the R2 zone.

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

7.1. Context and Setting

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement.

What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed dwelling has been designed to complement the site and its surrounds. The dwelling design is appropriate and will have acceptable impact on adjacent properties.

7.2. Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development.

7.3. Public domain

The proposed development will have a positive impact on the public domain as the proposal is consistent with the character and streetscape of the residential area.

7.4. Utilities

There will be no impact on the site, which has access to existing services.

7.5. Flora and fauna

There will be no significant impact.

7.6. Waste

There will be no impact.

7.7. Natural hazards

The site is affected by slip. A report has been provided by an expert with regard to the geotechnical aspects of the site and is supportive of the proposal subject to recommendations. This report accompanies the development application.

7.8. Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

7.9. Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is appropriate to the site with regard to all of the above factors. The development fits well within the context of the surrounds and is an appropriate scale, well-suited to the coastal and residential surrounds.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

7.10. Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*

- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the dwelling proposed.

Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

The public interest

It is considered that the proposal is in the public interest as it allows for an appropriate use of a residential property.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

8. Conclusions

- 8.1 The proposed development for demolition of the existing dwelling and the construction of a new dwelling at Lot 2, 4 Cambridge Avenue Narrabeena is appropriate considering all State and Council controls.
- 8.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 8.3 Considering all the issues, the development is considered worthy of Council's consent.