

STATEMENT OF ENVIRONMENTAL EFFECTS

DEVELOPMENT APPLICATION
DETACHED GARAGE

54 GARDERE AVENUE
CURL CURL NSW 2096

JUNE 2021

REV A



ALEX BRYDEN
ARCHITECTURE

ALEXANDER BRYDEN
NSW ARCHITECT no. 9693
ABN: 76 631 848 345

54 GARDERE AVENUE
CURL CURL NSW 2096

M: 0409 954 675
E: ab@alexbyden.com.au

TABLE OF CONTENTS

| | | |
|------|--|----|
| 1. | INTRODUCTION | 3 |
| 2. | THE SITE & PROPERTY DESCRIPTION | 4 |
| 3. | NEIGHBOURING PROPERTIES | 5 |
| 4. | DESIGN STATEMENT | 6 |
| 4.1. | ZONING AND SITE CONTEXT | 11 |
| 4.2. | BUILDING ENVELOPE AND SETBACKS..... | 12 |
| 4.3. | PRIVACY, VIEWS AND OVERSHADOWING | 12 |
| 4.4. | ON-SITE CAR PARKING AND ACCESS | 14 |
| 4.5. | OPEN SPACE AND LANDSCAPING | 15 |
| 4.6. | WASTE..... | 15 |
| 4.7. | SEPP (COASTAL MANAGEMENT) 2018..... | 15 |
| 5. | CONCLUSION..... | 16 |
| | APPENDIX A – SITE PHOTOS..... | 17 |

1. INTRODUCTION

This report is submitted to Northern Beaches Council in support of a Development Application for new detached garage and associated landscaping at no. 54 Gardere Avenue, Curl Curl.

This statement addresses the nature of the proposed development, the characteristics of the site and the proposal within the surrounding area. It also provides an assessment of the proposed development under the provisions of the Warringah Local Environment Plan (LEP) 2011 and Warringah Development Control Plan (DCP) 2011.

This report is to be read in conjunction with the following documents:

- Architectural Drawings prepared by *Alex Bryden Architecture (ABA)*
- Site Survey prepared by *C.M.S. Surveyors*
- Landscape Concept plan by *Alex Bryden Architecture (ABA)*
- Stormwater Concept Plans by *Alex Bryden Architecture (ABA)*

2. THE SITE & PROPERTY DESCRIPTION

The subject allotment is Lot 16, DP 13915 and is known as 54 Gardere Avenue, Curl Curl. It is located on the south-western corner of the intersection of Gardere Avenue and Cooksey Avenue.

The site is roughly rectilinear with a depth of approximately 40.46m and a width of 13.41m running from north (Gardere Avenue) to south (side boundary). The total site area is 467.2m².

The site falls to from the south-east corner on Cooksey Avenue to the north-east corner on Gardere Avenue by around 2.17m, with stormwater connected to the street gutter.

The site currently accommodates a single storey detached dwelling of mixed brick and timber clad construction with part-tiled and part-metal deck roof and enclosed subfloor area. In 2019, the subject site underwent alterations and additions including a new concrete hardstand to the rear yard, under a Complying Development Certificate no. 190062 dated 18/04/2019.

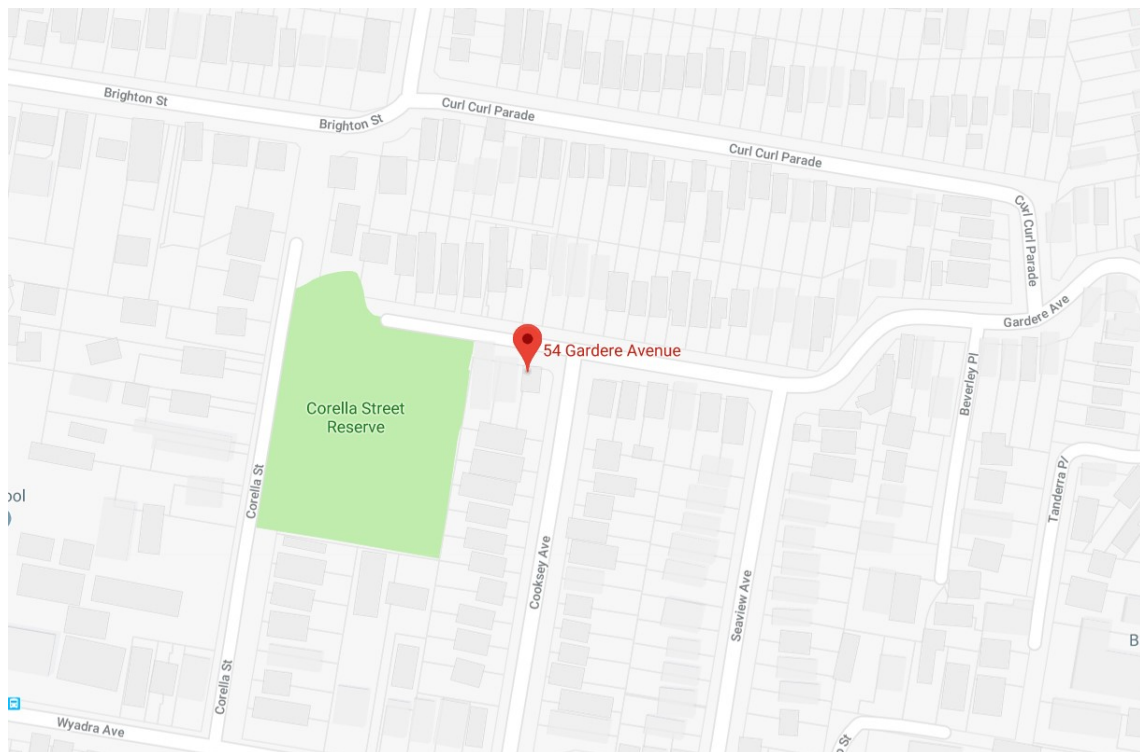


Figure 1 – site location (source: maps.google.com.au)

3. NEIGHBOURING PROPERTIES

The site is bounded by Gardere Avenue to the north, Cooksey Avenue to the east, and to the west and south are single residential dwellings.

The residence to the west at 56 Gardere Avenue is a contemporary light brick two-storey house with pitched tiled roof. The residential development to the south at 20 Cooksey Avenue is a single storey red brick interwar bungalow with a traditional pitched tiled roof.

The surrounding streetscape is fairly consistent with single detached dwelling houses and ancillary structures such as garages, car ports and swimming pools sited on large blocks. Almost all surrounding dwellings have multiple off-street car spaces including double car spaces or garages to Gardere Avenue and Cooksey Avenue, including many forward of the front building line.

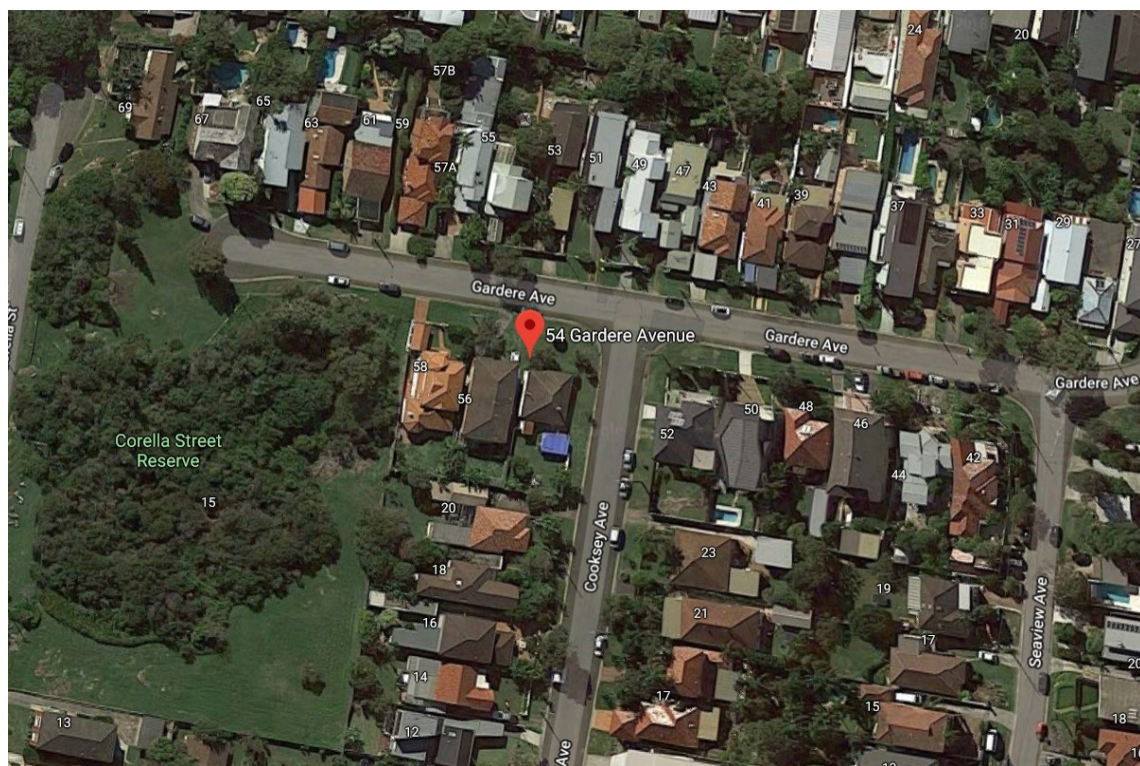


Figure 2 – aerial photograph (source: Google Maps)

4. DESIGN STATEMENT

The proposed application for development involves the following:

- Construction of new detached double garage and store over existing concrete hardstand
- Construction of a new vehicular crossing from Cooksey Avenue to accommodate 2 cars
- Construction of associated boundary fencing and landscaping

The proposal is illustrated in the attached DA drawings prepared by Alex Bryden Architecture and has been designed to respect the provisions of Warringah Local Environment Plan (LEP) 2011 and Warringah Development Control Plan (DCP) 2011.

| | Consideration |
|---|--|
| Section 79C (1) (a)(i) – Provisions of any environmental planning instrument | Consideration of Warringah Local Environment Plan (LEP) 2011 is contained in Section 4 of this report. |
| Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument | Not applicable to this proposal. |
| Section 79C (1) (a)(iii) – Provisions of any development control plan | Consideration of Warringah Development Control Plan (DCP) 2011 is contained in Section 4 of this report |
| Section 79C (1) (a) (iiia) - Any planning agreement that has been entered into under Section 93F | Not applicable to this proposal. |
| Section 79C (1) (a)(iii) – Provisions of the regulations | All building work will be carried out in accordance with Clause 78 of the EPA Regulations 2000 and considers the provisions of the Building Code of Australia. |
| Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality | Consideration of the likely impacts of this development is contained in Sections 4.1, 4.4 and 4.5 of this report |
| Section 79C (1) (c) – the suitability of the site for the development | The subject land is not affected by any policy that restricts development due to the likelihood of land slip, bush fire, coastal impacts, tidal inundation, subsidence, acid sulphate soils or any other risk. There are no physical, environmental, heritage or utility constraints that would make this site unsuitable for development. |
| Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs | The consent authority will need to consider any submissions received in response to the public exhibition of the proposed development. |
| Section 79C (1) (e) – the public interest | The proposal has minimal impact on neighbouring properties and is therefore not against the public interest |

The compliance of the proposal with the individual controls/aims of these documents are outlined in the following sections and the tables below.

Warringah LEP 2011 – Part 4 Principal Development Standards

| Control | Standard | Proposed | Compliance |
|---------------------------|----------------------------|---|------------|
| Land Use | R2 Low Density Residential | Dwelling house | Yes |
| Min Lot Size | 450 sqm | 467.2 sqm | Yes |
| Height of Buildings (LEP) | 8.5m | 6.7m | Yes |
| Heritage | Item 177 (Harbord PS) | | Yes |
| Acid Sulphate Soils | n/a | | - |
| Earthworks | | Minimal excavation required for footings | Yes |
| Landslip Risk | Area A – slope < 5deg | No substantial changes to stormwater discharge or existing subsurface flow conditions | Yes |
| | | | |

Warringah DCP 2011 – Part B Built Form Controls

| Control | Standard | Proposed | Compliance |
|--|--|---|----------------|
| B1 – Wall heights | Max 7.2m | 5.05m | Yes |
| B2 – Number of storeys | Not identified on map | N/A | N/A |
| B3 – Side boundary envelope | Envelope - 45 degrees from 5m height. | Building envelope meets control generally except for small portion of north-west corner to side boundary of no. 56 Gardere. | Yes – on merit |
| B4 – Site coverage | Not identified on map | N/A | N/A |
| B5 – Side boundary setbacks | 0.9m | 0.92m | Yes |
| B6 – Merit assessment of side boundary setbacks | Not identified on map | N/A | N/A |
| B7 – Front boundary setbacks | 6.5m On corner allotments, where the min front building setback is 6.5m to both frontages, the front building setback may be reduced to min 3.5m for the secondary frontage. Secondary street frontage variations must consider the character of the secondary street and the predominant setbacks existing to the street | No change from existing | N/A |
| B8 – Merit assessment of front boundary setbacks | Not identified on map | N/A | N/A |
| B9 – Rear boundary setbacks | Min. 6m On corner allotments where the min rear building setback is 6m the rear building setback does not apply | Subject site is a corner allotment so N/A | N/A |
| B10 – Merit assessment of rear boundary setbacks | Not identified on map | N/A | N/A |

| | | | |
|---------------------------------------|-----------------------|-----|-----|
| B11 – Foreshore building setback | Not identified on map | N/A | N/A |
| B12 – National Parks setback | Not identified on map | N/A | N/A |
| B13 – Coastal cliffs setback | Not identified on map | N/A | N/A |
| B14 – Main roads setback | Not identified on map | N/A | N/A |
| B15 – Minimum floor to ceiling height | Not identified on map | N/A | N/A |

Warringah DCP 2011 – Part C Siting Factors

| Control | Standard | Proposed | Compliance |
|--|---|---|------------|
| C2 – Traffic, access and safety | Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy | New crossing and driveway. Existing crossing to be replaced with new kerb and gutter to Council specification | Yes |
| C3 – Parking facilities | Garages not to visually dominate façade. Parking to be in accordance with AS 2890.1 | Proposed garage to Cooksey Ave to accommodate two cars. The garage is detached from the proposed dwelling and sited to furthest corner of the rear yard, and as such will not dominate the façade | Yes |
| C4 – Stormwater | Hydraulic design to be provided in accordance with council's stormwater drainage design guidelines for minor developments and minor works specification | Drainage from proposed new roof area to be connected to existing stormwater system. | Yes |
| C5 – Erosion and sedimentation | Soil and water management required | Application includes and Erosion and Sediment Control Plan outlining the appropriate measures to be taken during construction | Yes |
| C6 – Building over or adjacent to constructed council drainage easements | N/A | N/A | N/A |
| C7 – Excavation and landfill | Site stability to be maintained | The proposal includes only minimal excavation for regarding of vehicle access area, and is therefore considered to be in line with the control | Yes |
| C8 – Demolition and construction | Waste management plan required | Submitted waste management plan measures to be met | Yes |
| C9 – Waste management | Waste storage area to be provided | Dedicated bin storage area provided | Yes |

Warringah DCP 2011 – Part D Design

| Control | Standard | Proposed | Compliance |
|---|---|--|------------|
| D1 – Landscaped open space and bushland | Min 40% landscape area to be maintained | The proposal provides a landscaped area of | Yes |

| | | | |
|--|---|--|-----|
| | | 192.1sqm / 41.1%. There will be good areas of deep soil planting in both the rear yard and front setback, with a suitable area of private open space. A permeable driveway of sleepers and ground cover is proposed | |
| D2 – Private open space | Dwelling houses with three or more bedrooms – min 60sqm with min 5m dimension | No change to rear open space. Garage access area is design as softened green space to encourage play and activities | Yes |
| D3 – Noise | Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements | N/A | N/A |
| D4 – Electromagnetic radiation | N/A | N/A | N/A |
| D5 – Orientation and energy efficiency | Dwellings to be orientated to receive northern sun. Appropriate construction to enhance thermal properties and ventilation/natural cooling. Compliance with SEPP (BASIX) requirements | This is BASIX exempt development | N/A |
| D6 – Access to sunlight | Sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice | Due to the modest building envelope of the detached garage, solar access will be maintained to the adjoining properties for at least 2 hours between 9am and 3pm on the winter solstice | Yes |
| D7 – Views | View sharing to be maintained | The proposal will not create any unreasonable reduction of views from adjoining properties. | Yes |
| D8 - Privacy | Development is not to cause unreasonable overlooking of habitable rooms and principal private open space of adjoining properties | The proposed detached garage has no glazing overlooking the adjacent neighbour, so will not create any unreasonable overlooking of adjoining properties. | Yes |
| D9 – Building bulk | Buildings are to have a visual bulk and scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or | The proposed detached garage is of a modest scale that complies with the building envelope controls (on merit). This complements the existing dwelling on the subject site | Yes |

| | | | |
|--------------------------------------|---|--|-----|
| | surrounding spaces | and the surrounding streetscape of a mix of one and two-storey dwellings, with both flat and pitched roofs. | |
| D10 – Building colours and materials | | The proposed building colours and materials will complement the existing dwelling and be sympathetic to the streetscapes of Gardere Ave and Cooksey Ave. Being a darker colour will make the proposed form recede and highlight the originality and character of the existing brick cottage on the subject site. | Yes |
| D11 – Roofs | Roofs should not dominate the surrounding skyline | The proposed roof form of the garage is of a low-pitch to match the existing rear addition and will not dominate the skyline. | Yes |
| D12 – Glare and reflection | Glare impacts from artificial illumination minimised. Reflective building materials to be minimised | New colours and finishes will be provided to the dwelling to ensure the new works complement the existing dwelling. No significant glare impacts will result from the proposed works. | Yes |
| D13 – Front fences and walls | Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street | A new fence is to be provided along the Gardere Ave frontage and part of the Cooksey Ave frontage, which meets the provision of this clause. The fencing to Cooksey Ave between the garage and entry will be 1.8m to provide privacy to the rear private open space of the subject site. | Yes |
| D14 – Site facilities | Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities | Garbage storage areas to be adjacent proposed garage and not readily visible from street. Landscape buffer along new front and side fence to be provided | Yes |
| D15 – Side and rear fences | Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991 | New fences will be 1.8m or retained as is | Yes |
| D16 – Swimming pools and spa pools | N/A | N/A | N/A |
| D17 – Tennis courts | N/A | N/A | N/A |
| D18 – Accessibility | N/A | N/A | N/A |
| D19 – Site consolidation in | N/A | N/A | N/A |

| | | | |
|--|--|--|-----|
| the R3 and IN1 zone | | | |
| D20 – Safety and security | Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street. | The proposed works will not reduce the security of the street area or the subject site. Casual surveillance of the street is available from the room windows to both street frontages. | Yes |
| D21 – Provision and location of utility services | Utility services to be provided | Normal utility services are available to the site | Yes |
| D22 – Conservation of energy and water | Compliance with SEPP (BASIX) | A BASIX certificate is provided with the DA | Yes |
| D23 – Signs | N/A | | N/A |

Warringah DCP 2011 – Part D Design

| Control | Standard | Proposed | Compliance |
|--|--|----------|------------|
| E1 – Private property tree management | Arboricultural report to be provided to support development where impacts to trees are presented | N/A | N/A |
| E2 – Prescribed vegetation | Not identified on map | N/A | N/A |
| E3 – Threatened species, populations, ecological communities | Not identified on map | N/A | N/A |
| E4 – Wildlife corridors | Not identified on map | N/A | N/A |
| E5 – Native vegetation | Not identified on map | N/A | N/A |
| E6 – Retaining unique environmental features | Not identified on map | N/A | N/A |
| E7 – Development on land adjoining public open space | Not identified on map | N/A | N/A |
| E8 – Waterways and riparian lands | Not identified on map | N/A | N/A |
| E9 – Coastline hazard | Not identified on map | N/A | N/A |
| E10 – Landslip risk | Identified on map as Area A. Nature of works to excavate >2m requires the submission of a Geotechnical Hazard Assessment | N/A | N/A |
| E11 – Flood prone land | Not identified on map | N/A | N/A |

4.1. ZONING AND SITE CONTEXT

The zoning is 2(a) Residential – low density.

Objectives of zone

The objectives of this zone are:

- 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.

The zoning allows for:

Development for the purpose of:

*advertisements; aged persons' care centres; bed and breakfast establishments; boarding houses; child care centres; dual occupancies; **dwelling house**; educational establishments; home based child care services; hostels; places of public worship; professional consulting rooms; roads; small shops; utility installations (other than gas holders or generating works).*

Given the above, the proposal as a detached garage to existing dwelling house, is an allowable use and complies with the objectives of the zone.

The general streetscape of Gardere Avenue (south) is characterised by a mixture of contemporary two to three-storey detached houses. Gardere Avenue (north) is characterised by predominantly two to three-storey, pitched or flat-roofed detached houses of a more contemporary nature. The design proposes to retain a sizeable setback to the secondary street frontage of Cooksey Avenue, whilst the detached garage complies with the minimum side setback control and generally with the side building envelope control, with a form to complement the existing dwelling on the subject site. This will respect the scale and form of other developments within the area and compliment the streetscape.

4.2. BUILDING ENVELOPE AND SETBACKS

The proposal complies with the LEP building height control of 8.5m, being a maximum of 6.7m. and the wall height control of 7.2m, with a maximum wall height of 5.05m.

Under B7 of the DCP:

On corner allotments or sites with a double street frontage, where the minimum front building setback is 6.5 metres to both frontages, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street variations must consider the character of the secondary street and the predominant setbacks existing to that street.

The detached double garage to the Cooksey Avenue frontage has a setback of 6.3m and is compliant with the side setback controls. Under B3 Side Boundary Envelope, the proposal is generally compliant except for a small portion, about 200mm, of the north-west corner of the roof/wall to the boundary of no. 56 Gardere. Being a small numerical non-compliance only and with the shadow from that portion of the building falling on the garage of no. 20 Cooksey Avenue, it is considered to comply on merit and still meets the objectives of the control.

It is considered to meet the objectives of the DCP as it is an articulated building form to provide off-street parking and storage amenity for the subject site, in line with neighbouring properties along Gardere Ave and Cooksey Ave, many of whom have multiple off-street car spaces forward of the front building line. Additionally, by placing it towards the south-west corner of the allotment and away from the secondary street frontage, this minimises a dominating form of the streetscape, whilst still providing compliant solar access to 20 Cooksey Ave and 56 Gardere Avenue from a generally compliant building envelope.

The rear setback control does not apply as it is a corner allotment with two street frontages.

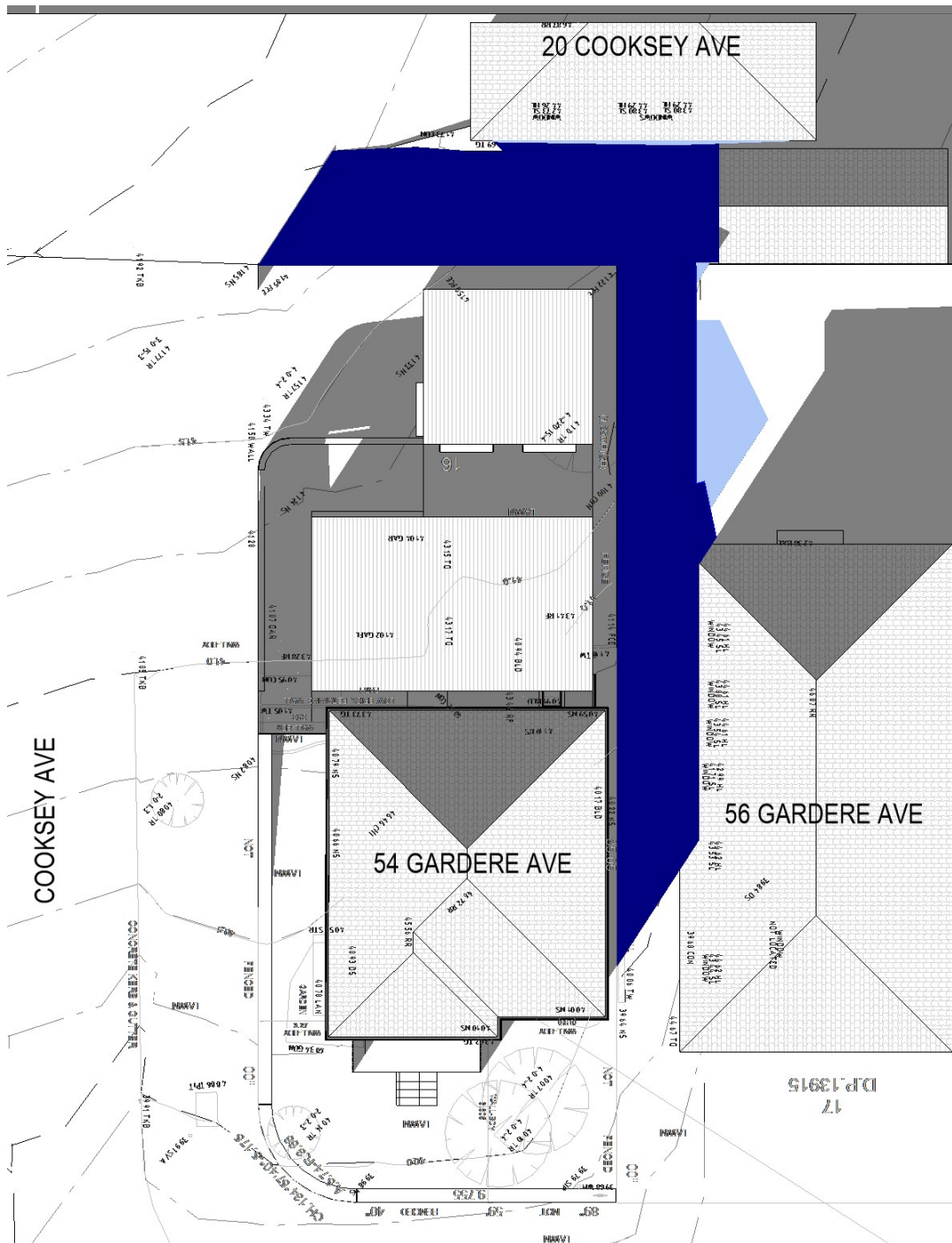
The south and west side setbacks of the proposed detached garage addition improves on the 0.9m setback control, being 0.92m, which aligns with the existing rear addition to the dwelling house.

4.3. PRIVACY, VIEWS AND OVERSHADOWING

The proposed development does not impact on the privacy or views of any adjoining sites. The proposed garage is mindful of the privacy impacts on adjacent properties. The detached garage has no high-level glazing on the south or west facades, with windows facing only north and east (street).

The only properties overshadowed by the proposed development are 56 Gardere Ave to the west and 20 Cooksey Ave to the south. From the submitted shadow diagrams on June 21, it can be seen there is minor additional overshadowing to the backyard of the existing dwelling on 56 Gardere at 9am. There is also additional overshadowing to the front setback, side driveway and north wall of the existing dwelling at 20 Cooksey Ave, from 9am to 11am and by 12pm it is restricted to the front yard.

Given the above, it is considered that the overshadowing impact of the proposal is acceptable as the numerical requirements of the DCP for solar access (2 hours direct sunlight to at least 50% of private open space on June 21) are achieved.



Overshadowing at 9am on June 21, Dark blue = existing, light blue = proposed

4.4. ON-SITE CAR PARKING AND ACCESS

The proposal allows for two car spaces within a detached garage, to the secondary street frontage of Cooksey Avenue. These have been grouped together at the south-west of the site in order to minimise impact to adjacent dwellings and consolidate the street parking on Cooksey Ave to be grouped together north of the proposed new driveway crossing. Double car spaces/garages are prevalent in the surrounding properties and this proposal is consistent with the streetscape context.

The existing dwelling has a double concrete hardstand and approved (unbuilt) new driveway crossing. The development will result in the loss of one street car space for a total of two on-site car spaces and as such is deemed to have no net impact on the parking capacity of the street.

4.5. OPEN SPACE AND LANDSCAPING

The proposal is fully compliant with the provisions of the DCP regarding open space and landscaping – please refer to the submitted landscape plans for details.

The proposal has a minimum of 60.8sqm of private open space in the rear yard with clear dimensions of 6.2m x 9.8m. This is in excess of the DCP requirement of 60sqm with 5m minimum dimension. The front yard provides for additional open space of 79sqm with a minimum dimension of 5.3m.

41.1% of the site is landscaped, with significant areas of deep soil landscaping available to both the front and rear open spaces. This is in excess of the DCP control of 40%.

4.6. WASTE

There is provision made for storage of bins adjacent to the garage area of the proposal.

4.7. SEPP (COASTAL MANAGEMENT) 2018

The subject site falls within the *Coastal Environment Area* under *State Environmental Planning Policy (Coastal Management 2018)*. The SEPP outlines as below:

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

The proposal is considered to have no or minimal impact on any of these areas. The proposed removal of any native vegetation is proposed to be replaced with other native vegetation, as outlined elsewhere in this submission.

(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposal is considered to have no or minimal impact on any of these areas.

5. CONCLUSION

The proposed development at 54 Gardere Avenue provides a permissible detached garage and store that utilises the site efficiently. It is consistent with the surrounding development context in relation to scale and bulk, particularly with the properties on both Gardere Avenue and Cooksey Avenue, and should provide a positive contribution to the streetscape.

The design generally meets or exceeds the provisions of the Warringah Local Environment Plan (LEP) 2011 and Warringah Development Control Plan (DCP) 2011), with the exception of side boundary envelope to no. 56 Gardere Avenue. This is considered a minor departure from the numerical controls of the DCP given they do not result in additional impacts over and above a fully complying scheme and the proposal meets the stated objectives of Council's controls, as well as the suitability to streetscape and well incorporated landscape design.

The scheme has significant merit as a sensitive infill development for the area and is consistent with the contemporary dwellings of the surrounding context. Because of this and the reasons stated in this report, this proposal should be considered worthy of approval.

APPENDIX A – SITE PHOTOS



The existing dwelling from Cooksey Ave (image courtesy maps.google.com.au)



The subject site from Cooksey Ave, showing the location of the proposed garage on the existing hardstand to the rear year. (image courtesy maps.google.com.au)



The existing hardstand on the subject site. Proposed garage is located directly on this area.



The existing hardstand on the subject site. Proposed garage is located directly on this area.



The existing hardstand on the subject site. Proposed garage is located directly on this area.



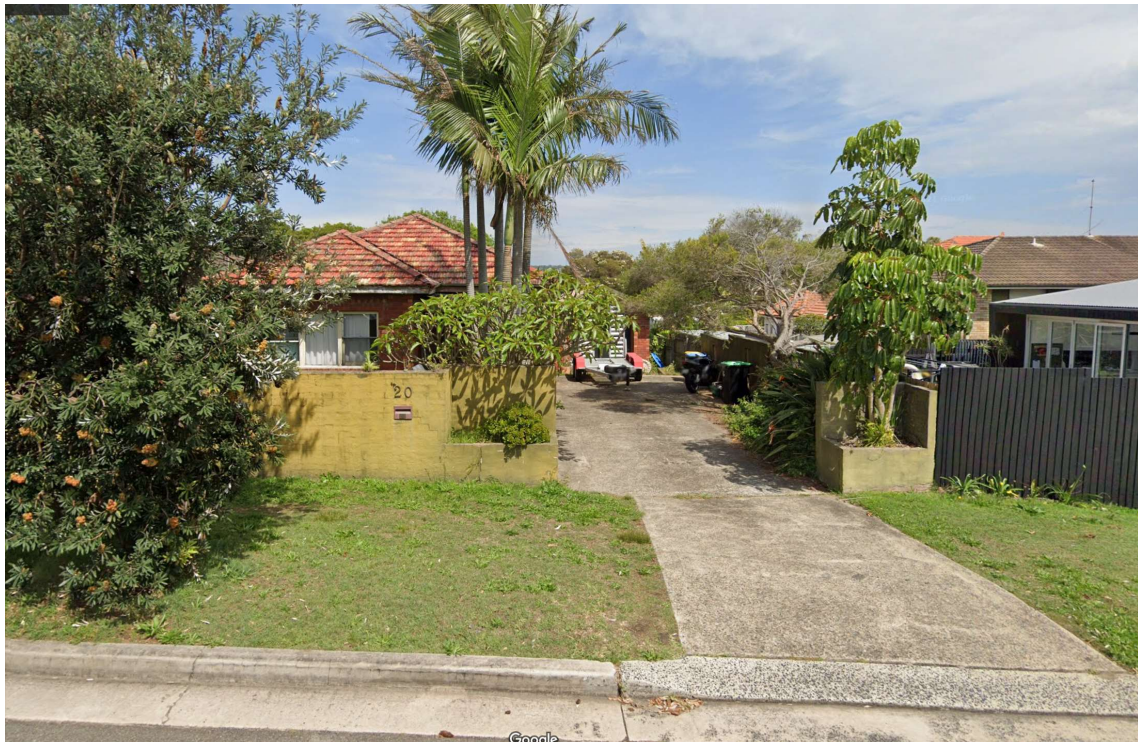
The existing hardstand on the subject site. Proposed garage is located directly on this area.



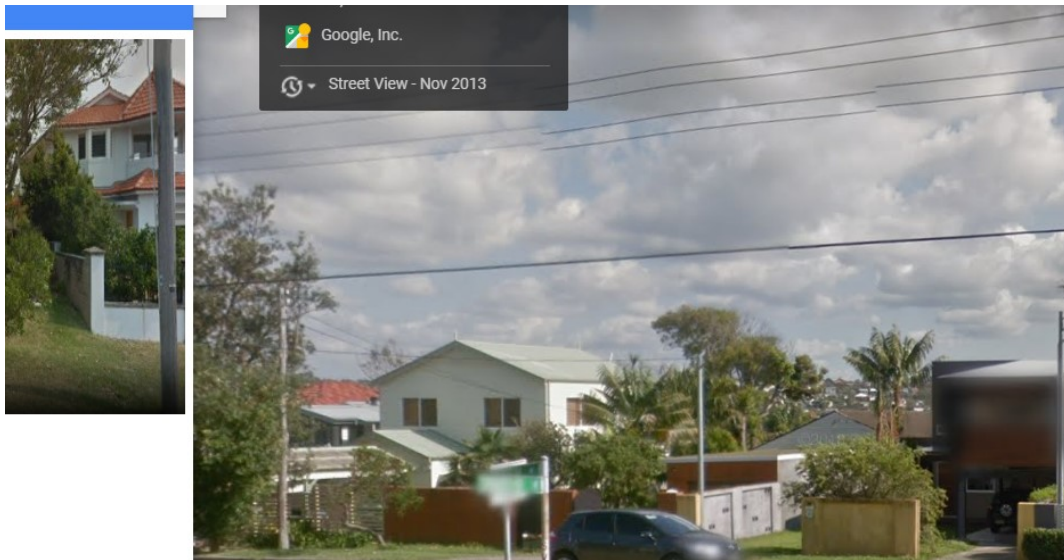
The adjacent property at 56 Gardere Avenue (image courtesy maps.google.com.au)



The adjacent properties at 56 and 58 Gardere Avenue (image courtesy maps.google.com.au)



The adjacent property at 20 Cooksey Avenue (image courtesy maps.google.com.au)



The adjacent properties opposite at 47, 49, 51, 53 and 55 Gardere Avenue (image courtesy maps.google.com.au)



The adjacent property opposite at 52 Gardere Avenue (image courtesy maps.google.com.au)