



11 MORESBY PLACE, ALLAMBIE HEIGHTS

STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE, INCLUDING SECONDARY DWELLING AND GARAGE



Report prepared for
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July 2024

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1. Introduction

- 1.1 This is a statement of environmental effects for the alterations and additions to an existing dwelling house including a new garage and secondary dwelling, at 11 Moresby Place, Allambie Heights.

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 2011 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:

- ◆ Site visit
- ◆ Survey prepared by CMS Surveyors Pty Ltd
- ◆ DA Plans prepared by Action Plans
- ◆ BASIX Certificate prepared by Action Plans
- ◆ Arborist Report prepared by Hugh the Arborist
- ◆ Original Bushfire Report and letter dated 27 June 2025 prepared by Bushfire Planning and Design
- ◆ Drainage Concept Proposal prepared by Bekker Engineers Design Buro P/L
- ◆ Waste Management Plan

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

- 1.4 DA2024/0859 for Alterations and additions to a dwelling house, including secondary dwelling and garage was withdrawn on 22 August 2024. The reason for withdrawal related to bushfire matters, outlined in the RFS Referral letter dated 20 August 2024. Subsequent discussions have been held between Bushfire Planning & Design and the RFS and the required information to address the issues raised by RFS is attached to this development application package.

2. The site and its locality

- 2.1 The subject site is located on the north-eastern side of Moresby Place, approximately 150 metres north of its intersection with Inglebar Avenue in Allambie Heights. The site is legally described as Lot 11 DP 28394.
- 2.2 It is an irregular shaped lot with boundaries of 16.245 metres (south – west Moresby Place frontage), 15.26 metres (north-east – rear), 38.205 metres (north-west – side) and 36.50 metres (south-east - side).
- 2.3 At the rear of the site is Owen Stanley Avenue, an unformed road and a right of carriageway burdens the front of the site providing vehicular access to No. 9 Moresby Place to the west. Pedestrian and vehicle access to the subject site is via shared access for No. 9, 10 and 11 is from Moresby Place at the site frontage.
- 2.4 The site is currently occupied by a one and two-storey brick dwelling with a tile roof, carport and garage. It has an area of 573.6m² and slopes down from south to north (to the rear) by approximately 2 metres.
- 2.5 The site is surrounded by detached residential dwellings to the south, east and west and a nature reserve to the north (rear). It is located in close proximity to shops and services on Allambie Road and in Brookvale with Warringah Mall to the east.



Figure 1. The site and its immediate surrounds

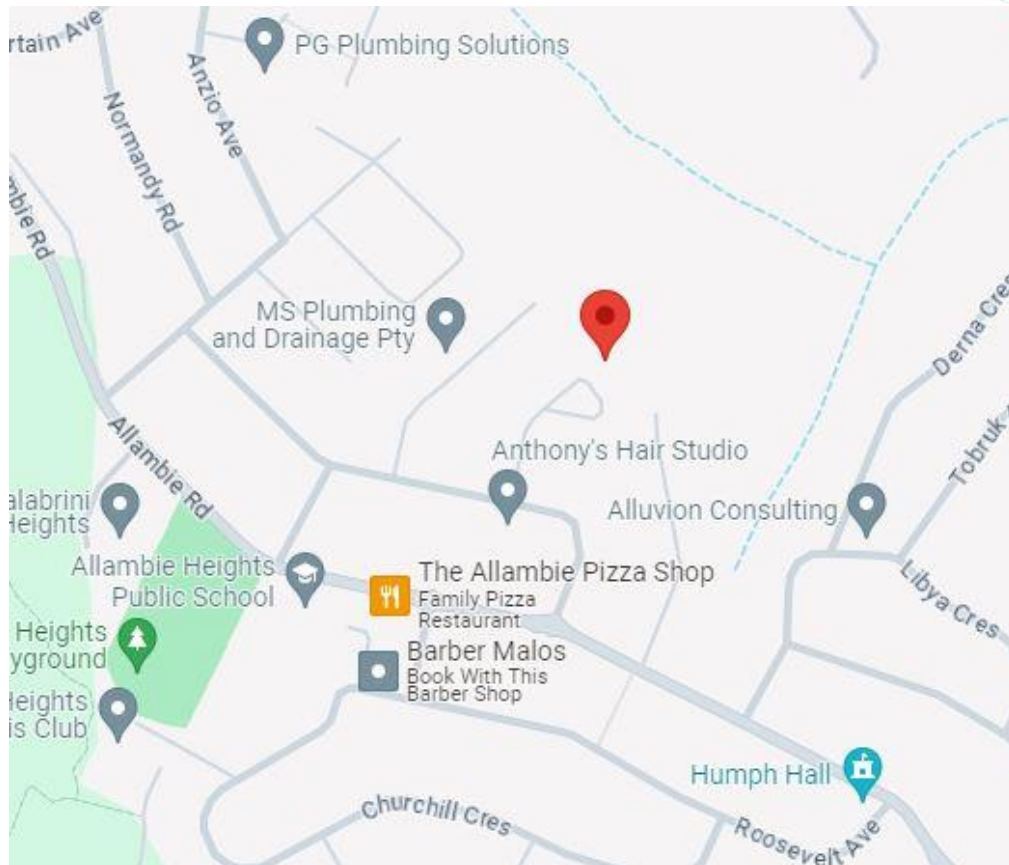


Figure 2. The site within the locality

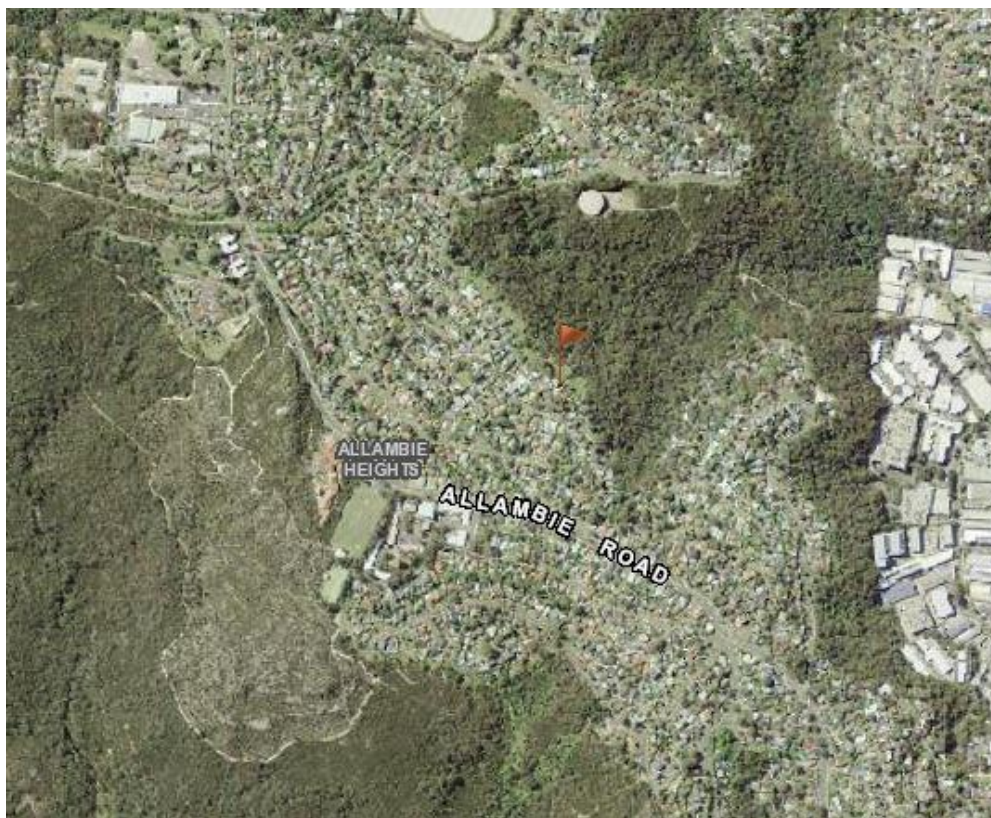


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4. Looking east, the southern elevation of the dwelling, showing site of proposed garage and secondary dwelling



Figure 5. The southern elevation of the existing dwelling (proposed secondary dwelling), looking north from Moresby Place



Figure 6. The rear elevation of the existing dwelling, looking south



Figure 7. Looking north-west, rear of proposed new master bedroom



Figure 8. Looking south, the western boundary showing the neighbouring property at No. 10 Moresby Place



Figure 9. The eastern elevation, looking south showing the existing balcony and dining area, the site of the proposed reconfigured kitchen and steps to garden



Figure 10. The western elevation, showing verandah and location of new soft landscaping

4. Proposed Development

4.1 The proposed development is for ground floor alterations including a new garage in place of the existing carport, the conversion of existing bedroom 4/studio to a master bedroom on the lower ground level, and a secondary dwelling on the site.

4.2 The proposed development remains consistent with the streetscape and the locality. The proposal is also consistent with Council controls and ensures privacy and solar access are maintained for both the adjoining properties and the subject site.

4.3 The proposed development includes the following:

Lower Ground Floor

- Demolish the existing bathroom and part of existing stairs,
- Construct new ensuite, walk-in robe and staircase,
- New windows on northern (rear) and eastern elevations.

Ground Floor

- Demolish kitchen,
- Construct new kitchen and pantry,
- Move the dining area to the existing living area,
- New laundry adjacent to the kitchen,
- New steps from existing balcony adjacent to the kitchen to access the garden and new balustrading for balcony,
- Extend roof over existing rear balcony,
- New laundry door to exterior,
- Retain bedrooms 1, 2 and 3 and bathroom, entry and hall.

Garage

- Conversion of existing carport to garage (with pitched roof to match dwelling),
- Construct new front to existing carport with new garage door,
- Construct privacy screen between garage and secondary dwelling,
- Construct new pitched roof over proposed garage (26° pitch).

Secondary dwelling

- Conversion of existing garage to secondary dwelling,
- Removal of existing garage door, window and door openings,
- Construct a new entry door/portico, kitchen, bathroom/laundry and staircase to storage area above,
- Construct a new roof over access to verandah of main dwelling,
- New window openings.

5. Statutory Framework

5.1 Rural Fires Act 1997

The *Rural Fires Act 1997* aims to protect the community from injury or death, property from damage and to protect infrastructure and environmental, economic, cultural, agricultural and community assets from damage, arising from fires.

Clause 100B of the RF Act requires applicants to obtain a bush fire safety authority (BFSA) for subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose. If a proposal requires a BFSA it is considered integrated development under Clause 4.46 of the EPA Act.

Section 4.14 of the EPA Act requires that a council does not approve any development on bush fire prone land unless the development application complies with *Planning for Bush Fire Protection 2019*. All developments on land that is designated as bush fire prone has a legal obligation to consider bush fire and meet the requirements of *Planning for Bush Fire Protection 2019*.

Comment: The subject site is mapped as bushfire prone land (vegetation buffer). The proposal is not for subdivision or a special fire protection purpose and therefore is not integrated development and does not require a BFSA from RFS. The site is, however, bush fire prone land, and therefore the proposal must comply with *Planning for Bush Fire Protection 2019*.

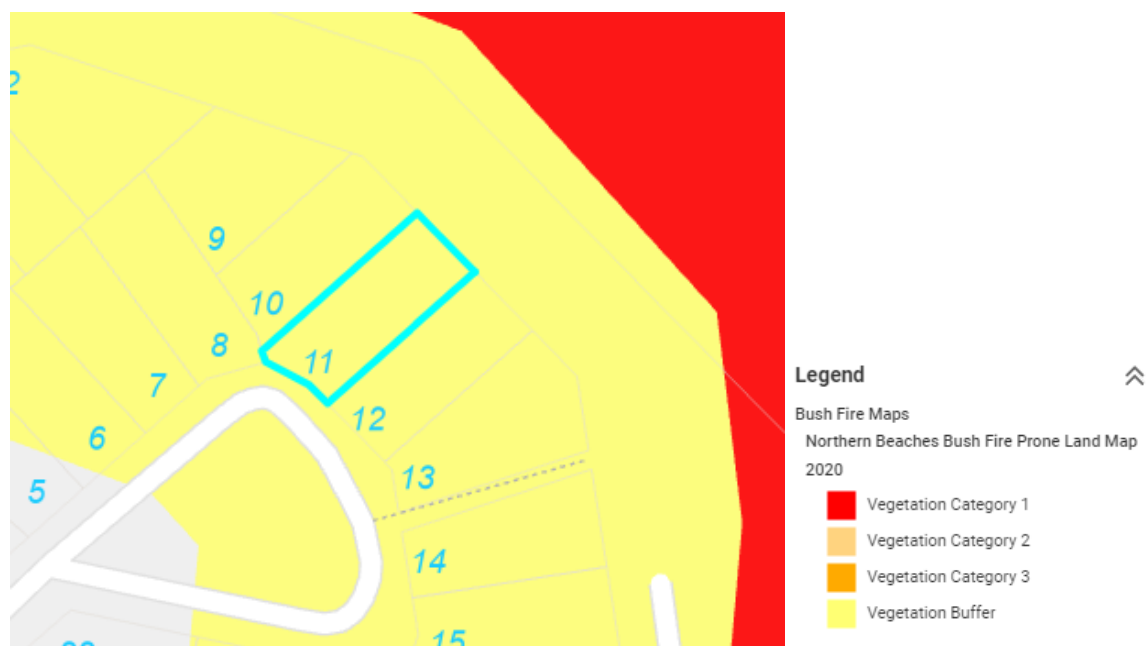


Figure 11. Extract from Northern Beaches Council Bushfire Prone Map

A supportive Bushfire Risk Assessment Report, accompanied with the covering letter dated 27 June 2025, prepared by Bushfire Planning and Design, is attached to this application.

5.2 State Environmental Planning Policies

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in Non-Rural Areas

This chapter aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it does not propose to remove any trees. Tree protection measures will be implemented to retain and protect trees within 10 metres of the proposed development works.

Refer to the attached Arborist Report, which concludes that the four (4) trees within the 10 metre protection zone can be retained in a viable condition.

Chapter 6 – Water Catchments

The site is located within the Sydney Harbour Catchment and Council is the Consent Authority for land-based development, as is proposed by this application.

The proposed development is consistent with the aims of the SREP having nil impact on the catchment. It is not visible from critical and valuable areas and the Sydney Harbour Catchment will retain its environmental and cultural significance. No Heritage Items nominated in the SREP are in the immediate vicinity of the site.

The development proposed is appropriate for the residential lot and will have no impact on the retention of significant environmental and cultural aspects of the Sydney Harbour Catchment.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

The subject site has historically been used for residential purposes and no change of use is proposed. There is no known reason to suspect the site may be contaminated and the consent authority can be satisfied that the land is suitable for the continued residential use.

State Environmental Planning Policy (Sustainable Buildings) 2022

Schedule 1 of SEPP (Sustainable Buildings) 2022 sets out the standards for thermal performance and energy requirements for BASIX development in NSW. The proposal is BASIX development (as defined by the EPA Regulation 2021), and a compliant BASIX certificate is provided with this application.

State Environmental Planning Policy (Housing) 2021

The principles of this Policy are as follows—

- (a) enabling the development of diverse housing types, including purpose-built rental housing,*
- (b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,*
- (c) ensuring new housing development provides residents with a reasonable level of amenity,*
- (d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,*
- (e) minimising adverse climate and environmental impacts of new housing development,*
- (f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,*
- (g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,*
- (h) mitigating the loss of existing affordable rental housing.*

Chapter 3 Diverse Housing

Part 1 Secondary dwellings

Clause 49: definition

development for the purposes of a secondary dwelling includes the following—

- (a) the erection of, or alterations or additions to—
 - (i) a secondary dwelling, or*
 - (ii) an ancillary structure within the meaning of Schedule 2,**
- (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.*

Note: The standard instrument defines secondary dwelling as:

“secondary dwelling means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the principal dwelling), and
 (b) is on the same lot of land as the principal dwelling, and
 (c) is located within, or is attached to, or is separate from, the principal dwelling.

The proposed use is defined under the WLEP 2011 as a Secondary Dwelling, subject to meeting the relevant standards.

Clause 50: Application of Part:

Requirement	Comment
This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument.	Yes The site is located in the R2 Low Density Residential zone and accordingly a secondary dwelling is a permissible use with consent under the WLEP 2011.

Clause 51: No subdivision:

Requirement	Comment
Development consent must not be granted for the subdivision of a lot on which development has been carried out under this Part.	Yes The development does not propose any subdivision of the existing allotment.

Clause 52: Development may be carried out with consent:

Requirement	Comment
(1) Development to which this Part applies may be carried out with consent.	Yes Consent is being sought through this application.
(2) Development consent must not be granted for development to which this Part applies unless— (a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and (b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area	Yes (a) The site is currently occupied by only the principal dwelling. (b) There is no adopted FSR under the provisions of the WLEP2011. However, the total floor area of the secondary

<p>permitted for a dwelling house on the land under another environmental planning instrument, and</p> <p>(c) the total floor area of the secondary dwelling is—</p> <p>(i) no more than 60m², or</p> <p>(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.</p>	<p>dwelling complies with the LEP requirement.</p> <p>(c) The total gross floor area is 51.32m² and is compliant.</p>
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Clause 53: Non-discretionary development standards—the Act, s 4.15:

Requirement	Comment
(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	
<p>(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—</p> <p>(a) for a detached secondary dwelling—a minimum site area of 450m²,</p> <p>(b) the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.</p>	<p>Yes</p> <p>(a) The secondary dwelling is attached.</p> <p>(b) The proposal incorporates one car space within an enclosed garage and a tandem space within the driveway.</p>

Conclusion

The above assessment finds that the development of the secondary dwelling is consistent with the controls of Part 1 Secondary Dwellings, Division 1 and Division 2 in the SEPP (Housing), and accordingly the proposal is supported and worthy of development consent.

5.3 Warringah Local Environment Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are addressed below.

Zoning

The site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011. The proposed development is for alterations and additions to an existing dwelling, which is permissible with development consent in the R2 zone.



Figure 12. Extract from Warringah LEP zoning map

Demolition

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the alterations and additions.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site has an undersized site area of 573.6m² and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres and the development retains the existing, compliant maximum building height of 7.262 metres. The proposed roof to the new garage/verandah measures 4.462 metres.

Controls relating to Miscellaneous permissible uses – Secondary Dwellings

Clause 5.4 (9) Secondary dwellings

The LEP permits a maximum floor area for the secondary dwellings of 60m² or 11% of the total floor area of the principal dwelling.

The proposed development includes the construction of a secondary dwelling, with a compliant total floor area of 51.32m².

Clause 6.10

Despite clause 5.4(9), development consent may be granted for development for the purposes of a secondary dwelling on land to which this clause applies if—

- (a) the total floor area of the secondary dwelling does not exceed 75 square metres, and*
- (b) the consent authority is satisfied that the secondary dwelling will be located entirely within an existing principal dwelling that contains no other secondary dwelling.*

The development proposes a compliant total floor area of 51.32m².

Heritage Conservation

The property is not a heritage item, located within a heritage conservation area or located in close proximity to any heritage items.

Acid Sulfate Soils

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

Earthworks

Very minimal earthworks are proposed to prepare the site for construction, which includes the new soft landscaping on the western side of the dwelling.

Standard erosion and sediment control measures will be implemented and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Development on Sloping Land

The site is located in the area nominated on the LEP maps as Area A – Slope < 5, where a geotechnical report is not normally required as the slope of land is minimal.

5.4 Warringah Development Control Plan 2011

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

Part A Introduction

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 by the DCP. The existing maximum wall height of the dwelling, being 5.058 metres on the western side, is retained. The development proposes a compliant maximum wall height of 2.6 metres for the new garage on its western side.

Side Boundary Envelope

The DCP requires a side boundary envelope of 4m/45°. The development will result in a compliant boundary envelope, as illustrated within the attached DA plans set.

Setbacks

Side Boundary Setbacks

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

The dwelling proposes to retain the existing side boundary setbacks on the eastern side, being 900mm to the existing garage (proposed secondary dwelling) and 1.485 metres to the existing dining area (proposed kitchen area).

On the western side the development proposes a compliant setback of 975mm to the new garage.

Front Setback

A primary front setback of 6.5 metres is required by the DCP.

The development proposes a front setback of 4.84 metres to the covered entry to the secondary dwelling and 6.05 metres to the south eastern corner of the garage.

A variation to the front setback is considered appropriate, in this case, as the development remains consistent with the objectives of the control, despite the variation, as addressed below:

- To create a sense of openness.

Comment

The development proposes the conversion of an existing carport to a garage. The proposed setback to the garage essentially retains the existing setback to the carport, resulting in no further encroachment into the front setback, or additional building footprint.

The proposed setback to the covered entry to the secondary dwelling will retain a sense of openness, with the design providing a weatherproof entry.

- To maintain the visual continuity and pattern of buildings and landscape elements.

Comment

The roof of the proposed garage is attached to and consistent with the existing dwelling and presents with visual continuity from the street. This represents an improvement to the current situation, which comprises of a flat, older style roof to the carport. Existing landscaping on the western side of the site will be retained and protected. Additionally, the open entry to the secondary dwelling maintains and enhances the visual continuity of the dwelling.

- To protect and enhance the visual quality of streetscapes and public spaces.

Comment

The development proposes to maintain the existing setbacks to the dwelling, with existing landscaping retained and enhanced at the front of the site. The proposed alterations and additions to the dwelling will result in a consistent visual presentation to the streetscape in this locality.

The covered entry to the secondary dwelling providing an attractive and functional design element to the development and a positive contribution to the streetscape.

- To achieve reasonable view sharing.

Comment

A site visit has been undertaken and it is considered there will be no impact on any views.

Rear Setback

In this instance, the rear boundary is considered to be the northern property boundary which adjoins the unformed Owen Stanley Avenue.

The DCP requires a rear building setback of 6 metres on the site. If the northern setback were to be considered to be a secondary road frontage, the required setback would be 3.5 metres. No change is proposed to the existing rear setback of 885mm to the north-western corner of the ground floor level balcony.

Part C Siting Factors

Traffic Access and safety

The subject site has an existing crossover and concrete driveway from Moresby Place and no change is proposed.

Parking Facilities

The DCP requires a minimum of 2 carparking spaces and a maximum garage / carport width of 6 metres or 50% of the building width.

The development proposes to convert the existing carport to a garage to retain weatherproof parking of one vehicle. A tandem space is available within the driveway, in front of the secondary dwelling. The neighbouring dwellings to the east at Nos. 12 & 13 Moresby Place have similar on-site carparking arrangements, with non-compliant garages, and extensive paved areas within the front setback for parking. The neighbouring property to the west at No. 10 has an approved double garage within the front setback of the lot. There is also ample on street parking on Moresby Place.

The internal width of the garage at the front measures 5.26 metres, being lesser than 50% of the building width.

Stormwater

Stormwater will be connected to the existing drainage infrastructure on the site. Refer attached Stormwater Plans.

Excavation and Landfill

Very minor earthworks are proposed to prepare the site for construction. Standard erosion and sediment control measures will be implemented, and any engineering specifications and conditions of consent adhered to, to ensure best practice procedures are followed.

Demolition and Construction

Demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the alterations and additions.

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.

The design retains an appropriate waste storage area, 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 of the site which is equivalent to 229.44m² for the site area of 573.6m².

The existing development has a non-compliant landscaped area of 10.5% (60m²) and the development proposes an increased landscaped open space area of 17.4% (99.79m²). This results in an increase of 39.79m² or 6.9%.

A variation to the landscaped area control is considered appropriate, in this case, as the development remains consistent with the objectives of the control, despite the variation, as addressed below:

Objectives of the control:

- *To enable planting to maintain and enhance the streetscape.*

Comment

The site maintains sufficient area to enable onsite planting for the enhancement of the streetscape. The development proposes to retain and enhance the existing landscaped area at the front of the site.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment

Not relevant to the subject site.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low-lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment

There is sufficient area for the retention and establishment of low-lying and medium shrubs and canopy trees. In addition to this, the proposal results in an increase of 6.9% of landscaped open space within the site allowing additional opportunities for the required planting.

- *To enhance privacy between buildings.*

Comment

Privacy is easily maintained between dwellings, with compliant building setbacks and privacy measures incorporated into the building design.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment

Appropriate outdoor recreation areas will be maintained including the existing rear lawn area and ground floor level balcony, as well as new soft landscaped areas.

- *To provide space for service functions, including clothes drying.*

Comment

There is sufficient area to accommodate service functions including clothes drying.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment

Stormwater from the proposed alterations and additions will be connected to the existing drainage infrastructure on the site. Refer attached Stormwater Plans. The proposal includes the removal of paved areas to facilitate additional soft landscaped areas throughout the site.

Private open space

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

A compliant area of private open space, being 64.5m² is provided on the site.

Noise

The development will not result in noise levels inappropriate to the 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 this DCP Clause.

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

9am – The development will result in a minor increase in shadowing within the front setback and across the shared driveway to the south western corner of the property.

12pm – The development will result in a minor increase in shadowing to the paved area within the front setback of the lot.

3pm – The development will result in a minor increase in shadowing to the front setback (paved area) and to a very small portion of the front setback of the eastern neighbour at 12 Moresby Place.

It is concluded that the private open space of the subject site will retain compliant solar access at 12pm and 3pm. The development will not impact neighbouring properties.

Views

A site visit has been undertaken and it is considered the development will not result in any view loss impacts.

Privacy

Compliant boundary setbacks limit opportunities for any direct overlooking into any key living areas, with no privacy impacts for neighbours are anticipated. The one new

window opening on the western side of the living area at ground floor level is narrow and obscured glazing to prevent privacy impacts.

Building Bulk

The proposed alterations and additions are located entirely within the existing building footprint, with the exception of the new stairs to the garden at the rear of the dwelling. Therefore the existing bulk and scale of the dwelling remains virtually unchanged.

Compliant setbacks and a compliant building envelope are retained ensuring an appropriate bulk and scale.

Building Colours and Materials

The proposed building materials include a metal roof, cladding to be consistent with the existing dwelling and stone paving and cladding. Details are provided in the attached Sample Board prepared by Action Plans. All materials and finishes are complementary to the residential surrounds and consistent with a modern finish (see Figure 13 below).



Figure 13. Extract from Samples Board DA17 prepared by Action Plans

Roofs

The proposed timber framed roof has a 26° pitch to match the existing dwelling and local streetscape. The tile roofing is pre-coloured and non-reflective.

Glare & Reflection

Colours and materials have been chosen to ensure no glare or reflection issues.

Site Facilities

Appropriate waste, recycling areas and drying facilities are proposed as part of the proposed application.

Fences

The existing side and rear fencing on the site is proposed to be retained.

Safety and Security

The proposed development ensures that safety and security features of the site are retained, allowing for casual surveillance of the street and safer access to the site and dwelling.

Conservation of Energy and Water

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

Part E - The Natural Environment

Preservation of Trees or Bushland Vegetation

The proposed development does not require any tree removal.

Prescribed Vegetation

The subject site is not identified on the maps referred to in the DCP.

Retaining unique Environmental Features

No unique environmental features will be impacted by the proposal.

Waterways and Riparian Lands

There will be no impact on waterways or riparian lands in the locality.

Landslip Risk

The site is located in the area nominated on the LEP maps as Area A – Slope < 5, where a geotechnical report is not normally required as the slope of land is minimal.

6. Numerical Control Table

The following table provides a summary of the development proposal, in accordance with the relevant numerical planning controls contained in the Warringah LEP 2011 and the Warringah DCP 2011.

	Standard	Proposed	Compliance
Warringah LEP 2011			
Lot Size	600m ²	573.6m ²	Yes – no change
Building Height	8.5 metres	Existing – 7.262m	Yes – no change
Floor Space Ratio	Not identified	-	-
Secondary dwelling	Maximum floor area 60m ²	51.32m ²	Yes
Warringah DCP 2011			
Wall Height	7.2 metres	Existing dwelling - 5.058m (west)	Yes
		Proposed garage - 2.6m (west)	Yes
Number of Stories	Not identified	-	-
Side Boundary Envelope	4 metres / 45 degrees	Complies	Yes
Site Coverage	Not identified	-	-
Side Boundary Setbacks	0.9 metres	<i>East:</i> Existing - 900mm to garage 1.485m to dining area <i>West:</i> Proposed – 975mm to garage	Yes - no change Yes - no change Yes
Front Boundary Setback	6.5m	4.84m to covered entry to secondary dwelling 6.05m to south eastern corner of garage	Compliance with objectives achieved
Rear Boundary Setbacks	6 metres	Existing 885mm to rear ground floor balcony	Yes – no change
Parking	2 spaces	Carport converted to single garage Tandem space in driveway	No change to parking spaces on site

Landscaped Open Space and Bushland Setting	40% of lot area (221.56m ² for site area of 553.9m ²)	17.4% (99.79m ²) Improvement to existing	Compliance with objectives achieved
Private Open Space	60m ²	64.5m ²	Yes
Solar Access	3 hours sunlight to 50% of POS of both subject site and adjoining properties between 9am and 3pm on June 21.	Complies	Yes

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:

7.1 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.

The development is permissible in the R2 zone.

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

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, appendices and attached specialist reports.

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 development has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

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.

Public domain

The proposed development will not impact the public domain.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no impact.

Waste

There will be no impact.

Natural hazards

The site is located in the area nominated on the LEP maps as Area A – Slope < 5, where a geotechnical report is not normally required as the slope of land is minimal.

The site is nominated as Vegetation Buffer on the NBC Bushfire Map and a supportive Bushfire Report is attached.

Economic impact in the locality

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

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 regards to all of the above factors. The development fits well within the context of the surrounds and is well suited to the 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.

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.

7.3 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 development proposed.

7.4 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.

7.5 The public interest

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

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 alterations and additions, including a secondary dwelling and new garage, at 11 Moresby Place, Allambie Heights 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 proposed development is considered worthy of Council's consent.

Planner Declaration

This report was prepared by:

Senior Planner: Susan May-Roberts

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Document Control Table

Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
02/07/2024	Susan May-Roberts Senior Planner	Sarah McNeilly Director

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